



# San Bernardino County

## Legislation Text

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**File #: 1926, Agenda Item #: 26**

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### **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION**

**April 7, 2020**

#### **FROM**

**JASON ANDERSON, District Attorney**

#### **SUBJECT**

Grant Application for the 2020-21 San Bernardino County Workers' Compensation Insurance Fraud Prosecution Program

#### **RECOMMENDATION(S)**

1. Approve submission of a grant application to the California Insurance Commissioner in the amount of \$2,563,434 for the San Bernardino County Workers' Compensation Insurance Fraud Prosecution Program for the period of July 1, 2020 through June 30, 2021.
2. Adopt Resolution, as required by the California Insurance Commissioner, authorizing the District Attorney to execute all documents, including any subsequent non-substantive amendments upon review by County Counsel, in relation to the Grant Application.
3. Direct the District Attorney to transmit all documents related to this grant application, including any non-substantive amendments, to the Clerk of the Board of Supervisors within 30 days of execution.

(Presenter: Michael Fermin, Assistant District Attorney, 382-3662)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Provide for the Safety, Health and Social Service Needs of County Residents.**

**Pursue County Goals and Objectives by Working with Other Agencies.**

#### **FINANCIAL IMPACT**

Approval of this item will not result in the need for additional Discretionary General Funding (Net County Cost) as the costs of the County's Workers' Compensation Insurance Fraud Prosecution Program (Program) are fully funded by the grant and matching funds are not required. The \$2,563,434 requested for 2020-21 will be used to fund existing staffing and other Program related costs. Program revenue and offsetting appropriation will be included in the District Attorney's 2020-21 recommended budget.

#### **BACKGROUND INFORMATION**

Section 1872.83 of the California Insurance Code authorizes the State Insurance Commissioner to distribute funds assessed against insurers, to agencies statewide for the investigation and prosecution of workers' compensation insurance fraud cases. Since 1994, the District Attorney's Office (Department) has been receiving grant funds for this purpose on an annual basis. In addition to keeping the public safe, the Department investigates and prosecutes these cases because fraudulent workers' compensation claims are crimes that inflate premiums for all consumers.

The State Insurance Commissioner sent notice to all participating agencies statewide that the due date to submit a grant application for the 2020-21 Workers' Compensation Insurance Fraud Prosecution Program would be April 22, 2020. Due to the requirements to include statistical information through early April 2020, the Department anticipates the final grant application will not be completed until mid-April. After completion, the District Attorney will sign and submit the grant application to the State. A copy of this application will be filed with the Clerk of the Board of Supervisors (Board) and forwarded to County Counsel. The Board's approval of this item, including the resolution authorizing the District Attorney to sign and submit the application, is required by the grant application process.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Katherine Hardy, Deputy County Counsel, 387-5437) on March 11, 2020; Finance (Carl Lofton, Administrative Analyst III, 387-5404) on March 23, 2020; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) March 23, 2020.