

Spotting and Proving Workers' Compensation Abuse

Presented by:

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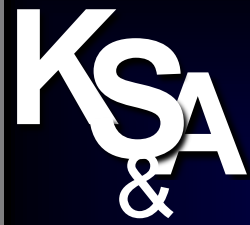
KOLB, STEWART & ASSOCIATES, INC.

Professional Investigations



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3 Most Common Reasons For Investigation of a Worker's Compensation Claim

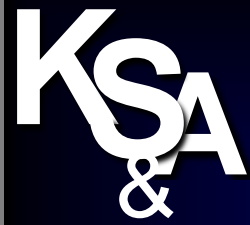
1. Investigate and determine the legitimacy of the accident.
2. Determine or verify the injured worker's present activities and physical capabilities, and obtain a video recording depicting the voluntary activity of the claimant while in public showing their ability or inability to return to work.
3. Verify or confirm suspicions you may have that the injured worker has returned to some type of gainful employment and is not reporting their income.



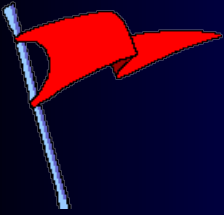


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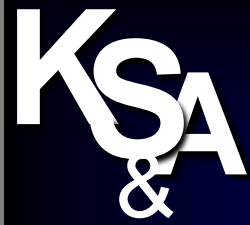
Red Flags or Fraud Indicators

-  The injured worker's time off work exceeds the normal expected recovery time for their specific injury.
-  The Claims Examiner or Nurse Case Manager have been trying to reach the injured worker at their residence but can never find them at home.
-  Medical reports you receive from the doctor regarding the Claimant reflect numerous **subjective** complaints and no **objective** findings.

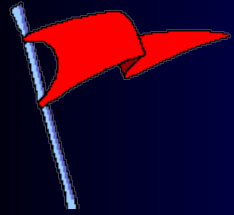


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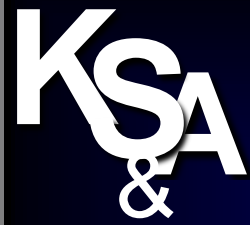
Red Flags or Fraud Indicators

-  The Claimant has a history of previous claims.
-  The accident is not witnessed or occurred just prior to notification of a strike, job termination, or at the end of a project or seasonal work.
-  The injured worker has been missing doctor's appointments and/or indicates they would like their appointments scheduled for later in the afternoon or on a specific day.



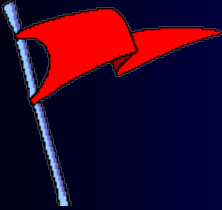



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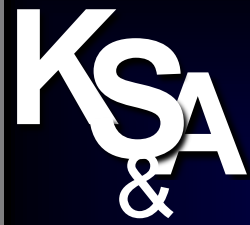
Red Flags or Fraud Indicators

- 
-  When the injured worker is on a no-work status and comes into the insurance company, doctor's office, or deposition with dirty and calloused hands... or they're supposed to be at bed rest and arrive with a deep tan.
 -  You receive an anonymous phone call informing you that the claimant is working.
 -  When a co-worker informs the Employer that the claimant is capable and more active than what they're alleging.



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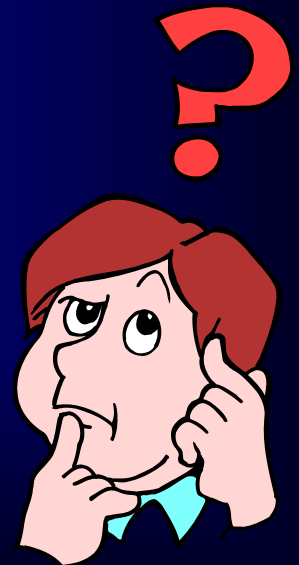




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How Much Surveillance Should I Consider?

- Not **more** than two days.
- Two **consecutive** days of surveillance.





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How to Evaluate a Good Investigation



- Ask yourself: “Do I know more about this injured worker’s activities and physical capabilities at the conclusion of this investigation than I did prior to assigning the case?”
- If the injured worker was **inactive** during the surveillance, did the investigator make an attempt to develop information in other ways, such as by contacting **neighbors, previous employers** or **residences**, or by searching various **records**?



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How to Evaluate a Good Investigation



- Ask yourself: “If the claimant was **active** during the surveillance investigation...was the investigator able to obtain video?” “Does the video show **continuity**, and **depict a good cross-section** of the injured worker’s activities during the surveillance?” And, “Is the video **close, clear** and **steady** in quality?”

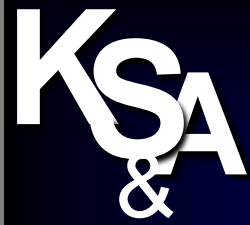


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How to Evaluate a Good Investigation

- And last..."Does the investigation appear to have been performed in a professional and ethical manner?"





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In Closing

We all know that investigation is considered a cost... an expense... and initially it is. However, if you choose **the right case**, utilize **good claims handling**, and present a **thorough and professional** investigation, you can save hundreds of thousands of dollars by “Spotting and Proving Worker’s Compensation Abuse”.



KOLB, STEWART & ASSOCIATES, INC.

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