

Manager/Supervisor Risk Management  
#21– 1/19/12

TOPIC: WORKERS' COMPENSATION – INVESTIGATIONS

There are two types of investigations that might be done on a YCPARMIA workers' compensation file.

The most common investigation is performed by YCPARMIA staff. A face-to-face statement is taken from the injured worker and their supervisor focusing on how the injury occurred, and how it could have been prevented. The goal is to perform these investigations on about 25% of all injuries. While assignments may come from the claims examiner to address compensability or recovery issues, the great majority of assignments are made directly by the YCPARMIA Risk Manager, and can be triggered by any number of factors including:

- Late reporting;
- Vague or incomplete loss descriptions;
- Lost time or permanent disability potential;
- Workers with repeated or multiple injuries;
  - we have a half dozen open files for workers who have each had between 21 and 31 injuries;
- Claims from departments/units that have a sudden rash of injuries;
- Psyche or stress claims; and
- Claims that have a loss prevention interest.

A certain number of additional injuries are included on a random basis to fill out our number goals.

The investigations are done in recognition that the injury event triggers, on the average, a potentially significant hit on the member's finances that justifies a closer in-depth look. An investigative report is provided to the examiner, the YCPARMIA risk manager, and the employee's HR department.

The second type of investigation is sub rosa. YCPARMIA, through its TPA, assigns surveillance of an injured worker to a licensed private investigator specializing in WC investigations. Assignments are triggered by inconsistencies in the claim file, and really focus on whether the injured worker is accurately presenting their injury to their doctor, employer, and claims examiner. Most often the investigations are triggered by a confidential tip from a supervisor or co-worker.

Many of the investigations reveal nothing of consequence, but others have had significant results. In the last few years we have had an employee who reportedly had trouble walking filmed while playing football, an employee with serious pain in the shoulder playing golf, and an employee who could not lift a piece of paper at her desk spending a day weeding and trimming her garden. The results of these investigations, when appropriate, are shared with the treating doctors to aid in their objective evaluation of the injury. In extreme cases they can be reviewed by the District Attorney, but in YCPARMIA's experience criminal fraud by our member's employees is virtually non-existent. More commonly there is an injury that has been overstated, and the investigation helps resolve that issue.

Next topic: Workers' Compensation – AOE-COE