



Workers' Comp Fraud Investigations: What to Look For

Although most employees on workers' comp follow their rehabilitation programs conscientiously, a few workers fabricate symptoms, cancel therapy appointments, and are insincere about getting off compensation and back on the job.

The costs of workers' comp fraud fall not only on employers, but also on the malingerer's fellow employees. They are often the ones who have to carry an extra workload to make up for the malingerer's absence. And by forcing the payment of wages for no work and wasting money on medical treatment, employers are forced to skimp on such things as pay raises, safety programs, and fringe benefits.

Be on the lookout for these common signs of malingering and possible workers' comp fraud:

Employee was new to job when injury was reported: Typically, abusers of the system have no intention of doing any actual work, and they will usually try to arrange things so that they don't have to spend any more time than necessary on the job.

Injury is reported immediately before a layoff or work stoppage of some kind: While everyone else has to struggle through a strike, layoff, or shutdown without regular pay, the malingerer continues to collect without interruption.

Injury is reported Monday morning, and there are no witnesses: People who get hurt over the weekend sometimes try to turn their injuries into cash by faking an accident at work.

Spotty work history: Malingerers frequently get caught and have to move on. Look for periods of unexplained idleness in their work records.

Employee is difficult to reach: An employee who is disabled from an on-the-job injury should be at home during the day. An employee who can't be reached by telephone could be working another job or even away.

Frequent change of care providers: No sooner does the doctor catch on that there's mischief afoot than the malingerer changes physicians, hoping to stretch out the disability payments just a bit longer.

Report claims promptly to your insurer, and be sure to notify the insurer or your attorney if there is reason to believe that a claim is not based on a valid injury. Alert the insurer to any signs of malingering. Compile a "repeater list" to show which employees are improperly trained, improperly qualified, or "professional claimants."