

2024 Annual Report Workers' Compensation Fraud Inspector General



INSPECTOR GENERAL LUCY LANG

APRIL 2025

INTEGRITY ★ TRANSPARENCY

Mission Statement



Fostering confidence in New York State government by promoting integrity and transparency through oversight of covered agencies, their employees, and those doing business with the State .



Offices of the Inspector General:

- Inspector General
- Welfare Inspector General
- Workers' Compensation Fraud Inspector General



Offices of the Inspector General: Who We Are

- Investigators
- Auditors
- Attorneys
- Forensic Accountants
- Information Technology Specialists
- Investigative Aides



Offices of the Inspector General: Statewide Presence

- Albany
- Buffalo
- Long Island
- New York City
- Suffern
- Syracuse



Jurisdiction

The New York State Workers' Compensation Fraud Inspector General has broad authority to investigate any violations of the laws and regulations pertaining to the Workers' Compensation system.

2024 Annual Report

1,436
Complaints



2024 Annual Report



\$2.7 Million

In Workers' Compensation Fraud Uncovered

2024 Annual Report



\$1.4+ Million

In restitution, fines, and other court orders
resulting from WCFIG investigations.

Public Outreach



IG Lang speaking on air with a journalist in Buffalo, NY



IG Lang with then U.S. Department of Labor IG Turner



Members of Team OIG handing out materials at a DCJS event



National Night Out Against Crime with NYPD



IG Lang speaking at a public event



IG Lang during an interview on NY1 in New York City

WCFIG Triage Unit

- *WCFIG Complaints are referred to the WCFIG Triage Unit*
 - *Internal group formed in response to a growing number of complaints.*
- *Based on the results of the Triage Unit review, complaints are referred to:*
 - *another government agency or insurance carrier for further action, or to*
 - *a WCFIG team for a full investigation*
- *Cases opened by WCFIG for full investigation are assigned to multi -disciplinary teams led by an investigative counsel who is assisted by investigators, investigative auditors, medical professionals, and computer forensic specialists.*

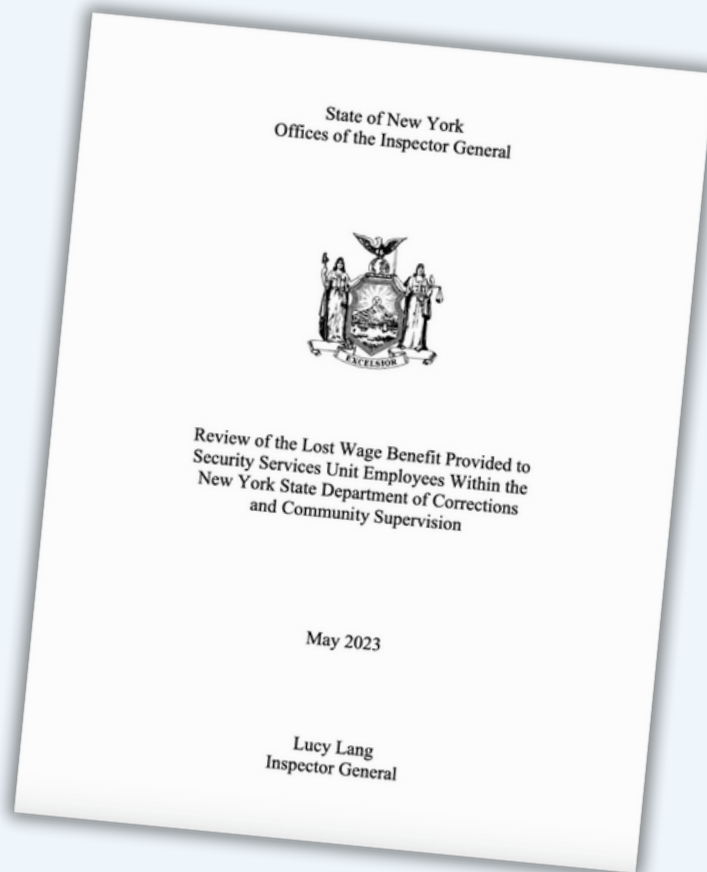
WCFIG Triage Unit



WCFIG Triage Team Members with Inspector General Lucy Lang after being presented with the John J. Kennedy Award by the New York Anti -Car Theft and Fraud Association.

Department of Corrections & Community Supervision

STATE GOVERNMENT
Inspector General: New York's 'generous' prison guard benefits result in fraud
DOCCS employees have been the source of 44 percent of workers' compensation fraud cases since 2010



ALERT TOP STORY
CORRECTIONS
The NY IG raises concerns over workers' comp benefit for corrections officers

- In May 2023, the Inspector General released a report detailing patterns of egregious workers' compensation abuse by DOCCS security staff.
- Data showed that in fiscal year 2020-2021, DOCCS had to cover nearly 1.8 million hours of staff time as a result of workers' compensation absences.
- Notably, in fiscal year 20192020, roughly two out of three workers' compensation claims filed by correction officers attributed the injury at issue to an on-the-job cause unrelated to physical contact with an incarcerated person.
- In 2024, WCFIG cases led to the arrest, plea, or sentencing of three DOCCS correction officers

Department of Corrections & Community Supervision

THE TIMES UNION
TIMESUNION.COM • SUNDAY, MARCH 9, 2025 • ALBANY, NEW YORK • \$4.00

COMMENTARY

DOCCS is rife with workers' comp abuse

By Lucy Lang

"Miss, can you get us more guards?"

You can imagine my surprise when an incarcerated New Yorker asked me this. His request echoed in my mind during the devastation of recent weeks, including Robert Brooks' murder at the hands of correction officers, Mesiah Nantwi's death earlier this month, and the unlawful work stoppage by employees of the Department of Corrections and Community Supervision that has led to increasingly unsafe conditions in prisons across New York.

Staffing shortages have long plagued state prisons, and they come at great cost to the safety of incarcerated people and staff alike. In addition to the danger, having too few guards also necessitates cutbacks to vital services and programming for the 30,000 people held in state prisons. This includes limiting or eliminating time outdoors, terminating vocational and educational training, and prohibiting visits from family members.

But the illegal stoppage, and the recruitment and retention challenges cited by many, overlook a critical part of the problem: DOCCS' employees' persistent abuse of the state's Workers' Compensation System.

At the Office of the New York State Inspector General, we have a unique vantage point on this troubling problem, both in our role overseeing executive branch agencies, including DOCCS, and in investigating fraud in the workers' compensation system. It's in those two capacities that I have spent time at all 42 of New York's state prisons, hearing the stories of incarcerated people, correction officers and administrators.

It's also in those two roles that my colleagues provide ethics training to every incoming group of correction officers, emphasizing that the officers' oath includes a commitment to support the U.S. and state constitutions, and the mandatory requirement that they report to us any violations of the law.

The most persistent complaints we hear back during our outreach are about the flagrant misuse of workers' compensation benefits by correction officers.

As detailed in our May 2023 report, the existing DOCCS labor contract contains provisions that, unlike those governing comparable professions, enable correction officers to take up to six months of full-pay leave following an occupational injury without having to use accrued leave or rely on traditional workers' compensation insurance. Also, unlike police labor contracts, the DOCCS agreement lacks provisions requiring claimants to remain at home during their leave or to see approved doctors — making fraud investigations

See FRAUD, D3

Two years after report finds DOCCS workers compensation abuse IG calls for more action

by Tom Eschen | Mon, March 10th 2025 at 10:58 PM

Updated Tue, March 11th 2025 at 8:07 AM



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Types of Workers' Compensation Fraud



Employer Fraud

Fraud by employers who are required to maintain workers' compensation insurance coverage for their employees but who either fail to maintain insurance coverage, have inadequate coverage, or misrepresent the number and classification of individuals employed and their payroll in the insurance application process.



Claimant Fraud

Fraud by claimants or their caretakers receiving benefits to which they are not entitled.



Provider/Professional Fraud

Fraud by medical providers and/or other professionals, including but not limited to physicians, physician assistants, law judges, attorneys, court reporters, & insurance professionals.

Fraud by Claimants

Notable Case

New York State Correction Officer

- *A Correction officer claimed he sustained an injury while working at Wende Correctional Facility*
- *WCFIG investigation uncovered the CO was was working as a bus driver on a route between Buffalo and New York City while receiving comp benefits*
- *The Correction Officer pled guilty and paid more than \$50,000 in restitution*

Fraud by Employers

Notable Case

Saratoga -Based Paving Company

- *WCFIG investigation found that the owner was operating a business with multiple employees but failed to obtain workers' compensation insurance coverage.*
- *Discovered after one of his employees sustained an on -the - job injury to his hand*
- *Owner pled guilty and paid restitution to the New York State Uninsured Employers' Fund.*

Fraud by Professionals

Notable Case

Medlink Services

- *Medical biller diverted more than \$1.9 million from 13 insurers
 - *\$1.3+ million from the New York State Insurance Fund**
- *Joint WCFIG, Attorney General, State Insurance Fund investigation*
- *Medical Biller pled guilty to Insurance Fraud, paid \$1.3 million in restitution*

Outreach & Training

- *MTA Inspector General* - *New York City*
- *New York State Association of Self Insured Counties (NYSASIC)* - *Oswego*
- *National Insurance Crime Bureau (NICB) and New York Anti -Car Theft and Fraud (NYACT)* - *Long Island*
- *Large Private Insurance Company* - *Utica*
- *New York State Workers' Compensation Board 2024 Conference* - *Albany*



We're Here for You



Training
Presentations
Public Events
Referrals & Allegations

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