

Fraud and Abuse Red Flag Indicators



- Injured worker has relocated out of state or address is a P.O. Box.
- Injured worker has skills that he/she could use to work for cash.
- Injured worker has history of filing workers' compensation claims.
- Doctor's reports are contradictory.
- There were no witnesses to accident.
- Injury happened on first day back from weekend, holiday or vacation.
- Injured worker is never home or available by phone.
- Injury coincides with a layoff, shut down, termination, or planting and/or hunting season.
- Injured worker is active in sports.
- Injured worker has another job.
- Injured worker is in line for early retirement.
- Rehabilitation report reveals that injured worker is maintaining active lifestyle.

Fraud vs. abuse

Fraud is:

- Intentional deception resulting in injury to another person;
- Imposter: a person who makes deceitful pretenses;
- Something intended to deceive; deliberate trickery intended to gain an advantage;
- Falsity – non-truth.

Examples of abuse include:

- Doctor shopping or doctor switching;
- Relapse as the return-to-work date approaches;
- Extending the physical therapy/medical treatment beyond what is usual for the injury type;
- Malingering;
- Extending the physical therapy beyond what is usual for the injury type;
- Misleading the physician of record regarding injury/recovery status;
- Provider extending treatment beyond normal standards (provider);
- Providing excessive, prolonged treatment (provider).

Fraud

Punishable by law
Requires "knowledge and intent"
Overt act (misrepresentation)
Intentional omission

Abuse

Excessive use or misuse of workers' compensation benefits.
Abuse cannot be criminally prosecuted under the law.
Dealt with by effective case/claims management and civil/administrative remedies.



Workers' Compensation Fraud Red Flags

If you suspect someone is committing fraud against the Ohio Bureau of Workers' Compensation, our special investigations department is waiting to discuss your concerns and investigate those who may be defrauding the State Insurance Fund.

Claimant fraud

Do you suspect one of your injured workers who is out of work and receiving disability benefits of:

- Having worked for a short period of time;
- Working for cash under the table;
- Providing services or bartering and not being paid;
- Being self-employed;
- Running a business from his or her home;
- Being employed elsewhere, but the earnings are reported in the name of another person;
- Engaging in physical activity inconsistent with his/her medical condition;
- Filing a false claim.

If you suspect claimant FRAUD, call Criminal Investigator Cindy Berry at 614-644-6350.

Health-care fraud

Do you suspect a health-care provider is:

Billing for services not actually performed;

- Upcoding – billing for a more costly service than the one actually performed;
- Unbundling – billing each stage of a procedure as if it were a separate procedure;
- Misrepresenting the individual who actually rendered care;
- Committing drug diversion (e.g. dispensing controlled substances with no legitimate medical purpose);
- Seeing a high volume of patients in a single day, which may lead to drug diversion.

If you suspect health-care FRAUD, call Conika Brooks at 419-529-7604.

Employer fraud

Do you suspect an Ohio employer is:

- Operating a business without workers' compensation coverage;
- Paying employees cash under the table;
- Misclassifying employees as sub-contractors;
- Misclassifying the type of operation;
- Operating with more than one policy.

If you suspect employer FRAUD, call Amy Huth at 419-245-2449.

To report fraud, visit www.bwc.ohio.gov, or call 1-800-644-6292.

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