



**CHAIRMAN, EXECUTIVE DIRECTOR NAMED**

NEW YORK STATE INSURANCE FUND

*Workers' Comp.*

# ADVISOR

nysif.com

2nd Quarter 2014

## *All the Wrong Moves*

Bending, Pulling,  
Pushing, Twisting,  
Lifting, Reaching

- *Overexertion*
- *Strains*
- *Sprains*

**Learn & Teach  
the Basics of  
Back Safety**

**PLUS:  
Your  
Worksheet  
for  
Electronic  
Claims  
Filing**

Continuing Our Prevention Series  
On the Most Common Injury Causes

**FRAUD FILE: 83 ARRESTS; \$10.9M SAVINGS, RESTITUTION**

## Program Mentors Small/New Business

Governor Andrew M. Cuomo announced the launch of Business Mentor NY, the state's first large-scale, hands-on mentoring program to help entrepreneurs and small businesses across New York State overcome challenges and spur growth. The initiative builds on volunteer mentoring efforts that assisted businesses in the wake of Superstorm Sandy, Hurricane Irene and Tropical Storm Lee.

"Our Business Mentor NY initiative aims to help small businesses turn a good idea into a sustainable business so that they can create new economic opportunities in communities across the state," Gov. Cuomo said. "When fully operational, it will function as one of the largest integrated networks in the country that will meet the needs of all businesses across New York State. I applaud our volunteer mentors who are dedicating their time to help their fellow New Yorkers."

The free mentoring program, funded in part through the United States Department of Housing and Urban Development and administered by Empire State Development, connects volunteers working in the private sector to small businesses and Minority- and Women-Owned Business Enterprises (MWBE) to help them address specific obstacles to success. The one-on-one guidance complements a current network of financial and technical assistance providers who help owners and communities realize their full economic potential.

Small business or mentors interested in participating in the program should contact Amy Greenstein at 212-803-3216 or [agreenstein@esd.ny.gov](mailto:agreenstein@esd.ny.gov).

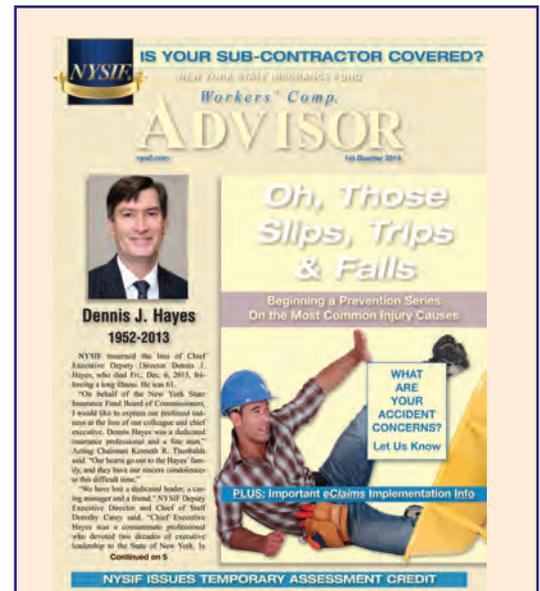
## Fund Hosts MWBE Investment Forum

NYSIF held its annual investment symposium for financial sector Minority- and Women-Owned Business Enterprises (MWBE) at its offices at 199 Church Street, on Wed., Feb. 26, 2014. Now in its fourth year, the symposium joins emerging MWBE asset managers and brokers in a forum designed to increase investment opportunities for MWBE financial firms. The event advances NYSIF's Emerging Managers program, which uses MWBE asset managers to invest a portion of NYSIF funds.

"New York is proud to be at the forefront of reducing barriers in the MWBE certification process and providing opportunities to MWBE firms to demonstrate their qualifications, skills, and expertise," Gov. Andrew M. Cuomo said. "This event is an example of our commitment to continuing MWBE growth in this state and an excellent opportunity for MWBE firms to increase their competitiveness and pursue further opportunities for growth."

In 2011, Gov. Cuomo established by executive order a statewide team to explore ways to expand the participation of MWBEs in state contracting. In October, the governor announced that for the first time, utilization of MWBE in state contracts reached a record 21.06 percent. In all, \$1.48 billion in contracts from a total of 97 public agencies and authorities were awarded to MWBE businesses in FY 2012-2013.

NYSIF participated last year in the governor's New York State MWBE forum. NYSIF was cited in the keynote address for its success in meeting and exceeding the goals of the governor's MWBE initiative.



## Fall Prevention Radar

A recent flurry of Occupational Safety and Health Administration fines for fall hazards only reinforced the urgency of the first installment in our series on common injury causes [WCA1Q2014]. OSHA issued nearly \$750,000 in citations to repeat violators for failing to provide fall protection at three worksites, including a Buffalo food manufacturing plant, an Illinois roofer, and a Long Island painting company.

Of particular concern: a rise in fatalities among communication tower workers, more of whom were killed in 2013 than in the previous two years combined. With four more tower-related deaths already in 2014, OSHA estimated that tower workers are 25 times more likely to die on the job than the average American worker.

See OSHA's [Stop Falls web page](#) for more on fall prevention measures.

*NYSIF Workers' Comp. Advisor  
 April, May, June 2014*

### This Issue

- [Free Mentoring to Spur Small Biz/2](#)
- [MWBE Forum Highlights NYSIF Utilization /2](#)
- [NYSIF People: New Appointments/3](#)
- [Employer Requirements for New PBM/4](#)
- [eCLAIMS Worksheet/5](#)
- [Common Injuries: Basics of Back Safety/6](#)
- [Fraud File: Notable Cases/8](#)

## *NYSIF People*

### **Board Elects Ken Theobalds Chairman**

NYSIF's Board of Commissioners unanimously elected Kenneth R. Theobalds as NYSIF Chairman at its monthly meeting on Jan. 22, 2014.

Chairman Theobalds, vice president of Government & Regulatory Affairs for Entergy, has been a member of the NYSIF board since 2008. He has served as NYSIF presiding chairman since May 2013, and is a former NYSIF deputy executive director.

"It is a privilege to serve," he said. "I thank Governor Andrew M. Cuomo and my fellow commissioners for the support and trust they have placed in me. I have a deep and abiding respect for the work and employees of the State Insurance Fund and this board. I look forward to serving with my fellow commissioners and working with NYSIF staff, and the policyholders and injured workers that we serve."

Mr. Theobalds has over 20 years' experience in New York public affairs and has direct responsibility for Entergy's regulatory, state and local government relations in New York, Massachusetts, Vermont and Michigan. A former congressional staffer and assistant secretary to former New York Gov. Mario M. Cuomo, he serves on the board of directors of the Business Council of New York State, and the executive committee of the Business Council of Westchester and the Westchester County Association. He is a graduate of Cornell University and the Entergy Executive Program.



### **Gov. Appoints Eric Madoff Executive Director**

Gov. Andrew M. Cuomo announced the appointment of Eric Madoff as NYSIF Executive Director, effective Jan. 6, 2014.

Mr. Madoff previously served as chief of staff at the New York State Department of Financial Services (DFS) from 2011-2013.

"I am honored to have the opportunity to serve," he said. "Thank you to Governor Cuomo for the confidence and trust he has placed in me to serve in this role."

At DFS, Mr. Madoff had operational responsibility for an agency of 1,400 employees. During that time, he oversaw the successful merger of the New York State Insurance and Banking departments into DFS, helping to execute the transition under budget. From 2009-2010, Mr. Madoff was chief investment and strategy officer for the New York Liquidation Bureau, where he was responsible for \$2 billion in investment assets for the bureau.

Mr. Madoff has an MBA from Harvard and a BS from the United States Military Academy at West Point. He served as a captain in the US Army from 1987-1992. Mr. Madoff joined Goldman, Sachs & Co. in 1994, where his positions included vice president of Equity Capital Markets. He also worked as a U.S. equity analyst and principal of Aeneas Capital Management, LP, and as a portfolio manager and partner of JD Capital Management, LLC.

### **Board Elects Barry Swidler Vice Chair**

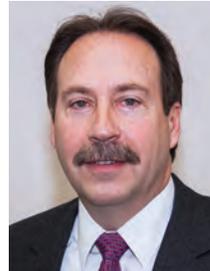
NYSIF's Board of Commissioners unanimously elected Barry Swidler as NYSIF Vice Chairman at its monthly meeting on Jan. 22, 2014.

Mr. Swidler, chairman of NYSIF Launderers and Cleaners Safety Group 34, is president and CEO of Long Island Carpet Cleaners, Inc., a family business started in 1917. Group 34, which began in 1923, is NYSIF's oldest safety group. Gov. Andrew M. Cuomo appointed Mr. Swidler to NYSIF's Board in 2013.

Mr. Swidler also is majority owner and president of American Fire Restoration, LLC, which provides cleanup operations for fire, water and mold damage in the tri-state area, and is the owner of Steady Gain Partners, LP, an investment partnership.

Mr. Swidler is chairman and a founding member of the Long Island Council for Birthright Israel. He also serves on the LIUJA Executive Committee. He is co-chairman of the North Shore LIJ Hospital Commerce and Industry Council and an associate trustee of the NSLIJ Health System.

A graduate of University of Rochester and Boston University School of Law, he was admitted to the NY State Bar in 1981.



### **Fund Names George Tidona DCI Director**

NYSIF Executive Director Eric Madoff announced the appointment of George Tidona as Director of Confidential Investigations, on Mon., Feb. 3, 2014.

"Mr. Tidona brings more than a decade of experience as an investigator and lead prosecutor in New York State," Mr. Madoff said. "I'm sure his leadership will benefit our strong anti-fraud program."

A former NY State assistant attorney general and former special narcotics prosecutor in NYC, Mr. Tidona served as senior counsel in the Enforcement Department at the Financial Industry Regulatory Authority and as trial counsel for the New York Stock Exchange Department of Regulation since 2004.

Mr. Tidona previously served as assistant attorney general for the Investment Protection & Securities Bureau from 2000 to 2004. Prior to that, he served as assistant attorney general for the Claims Bureau, Division of State Counsel.

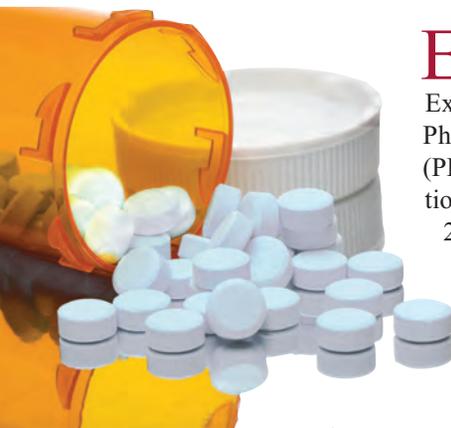
Mr. Tidona also served as Narcotics unit chief, handling homicide and narcotics investigations and trials for the District Attorney's Office, and as an assistant special narcotics prosecutor for the City of New York.

[More about people on this page, [nysif.com](http://nysif.com)>NYSIF News]



# NYSIF's New PBM on April 1, 2014, is CVS Caremark

Workers' compensation prescription benefits for NYSIF claims will be filled by CVS Caremark beginning April 1, 2014.



Effective April 1, 2014, CVS/Caremark is replacing Express Scripts as NYSIF's Pharmacy Benefits Manager (PBM) for workers' compensation claims. Beginning April 1, 2014, NYSIF claimants should use the CareComp pharmacy network administered by CVS Caremark to fill prescriptions for a workers' compensation claim.

The CareComp network includes more than 67,000 pharmacies, and is not limited to CVS pharmacies.

NYSIF is maintaining its instant enrollment or "short-fill" service with CVS Caremark. This allows injured workers immediate acceptance by any pharmacy in the CareComp pharmacy network. New York law does not require this service. However, NYSIF makes it available to provide limited, cost-effective prescription benefits for new claims filed for work-related injuries or illnesses to help injured workers acquire medication before the claim is accepted.

Employees injured at work under your policy should bring the completed "Workers' Compensation Temporary Prescription Services ID" form along with their prescriptions to any pharmacy participating in the CareComp network.

**A network of more than 67,000 pharmacies, not limited to CVS.**

This temporary ID form is completed first by the employer, then the employee:

- Employer fills in employer's name & policy number.
- Employee fills in Social Security number, date of injury, date of birth, name, mailing address.

Injured workers can find local participating pharmacies by calling CVS Caremark 24-hour patient care hotline at (866) 493-1640, or visiting [www.wcrxpharmacylocator.com](http://www.wcrxpharmacylocator.com).

The injured employee should receive a permanent ID card from CVS Caremark within 10 days of accident confirmation by NYSIF. Existing claimants should have received a replacement Workers' Compensation Prescription ID card in the mail from CVS Caremark prior to April 1, 2014. If you have any questions, call NYSIF at (888) 875-5790.

The law requires employers to post or distribute copies of the Notification Concerning Workers' Compensation Pharmacy Benefits (PBM Post), by either:

- Posting the notification on their employee accessible intranet or internet website; or
- Posting the notification in the same location where they post the notice of workers' compensation coverage; or
- Distributing copies of the notification in paper or electronic format to all of their employees in New York State.

NYSIF provides the PBM Post for printing in multiple languages at [nysif.com](http://nysif.com) from [the Forms page](#) under the Products & Services menu. If necessary, you can e-mail [PBMNotice@nysif.com](mailto:PBMNotice@nysif.com) for additional copies.

# Electronic Claims Filing Worksheet

<b>Policyholder Information:</b>	
* Policy number has to be active on Date of Accident being reported	
* Policy mailing address and other contact information	
* email address of eFROI Initiator	
Broker/Safety Group Manager's email (optional)	
* Policy entity and policy work location(s)	
* Industry Type Code	
<b>Injured Worker/Employee/Claimant Information</b>	
* Claimant's First and Last Name	
Social Security Number (optional)	
Personal information, such as *Date of Birth and *Gender	
* Claimant's address including zip code and telephone number	
* Did employee give notice of accident/illness? If so, to whom?	
Injured employee's supervisor's name	
<b>Employment information:</b>	
Date of Hire	
* The claimant's gross average weekly wage	
Job Title	
* Claimant's usual days worked	
Time claimant started work on day of accident	
* Date claimant stopped working (due to injury)	
* Last day paid, if lost time case. (Provide the last calendar day the employee earned wages.)	
* Is employer continuing to pay claimant while out?	
Return To Work (RTW) information, date claimant RTW	
* If claimant RTW, with or without any restrictions?	
* Has employer provided the Claimant Information Packet and when?	
<b>Accident/Illness and Injury Information:</b>	
* Date of the accident/illness or injury	
* What was employee doing at the time of injury?	
* How did the accident occur?	
* Where did the accident/illness happen?	
* Is the accident location the same as the policy location? If not, address location is required.	
* Did accident occur where the employee normally worked? If not, why was he/she there?	
* Nature of the injury (such as "Laceration" or "Fracture")	
* Body part(s) injured (up to six body parts may be selected)	
* Cause of injury	
* Type of Loss	
To your knowledge, did the employee have another work-related injury to the same body part or similar illness while working for you?	
Did the injury/illness result in the employee's death?	

**Use NYSIF eFROI® now to report all injuries to NYSIF.** Be aware that NYSIF eFROI® will soon reflect required information needed (\*) on this worksheet for electronic reporting in compliance with Workers' Compensation Board eClaims filing. You can download the document "[Implementation of WCB eClaims Reporting](#)" for a full size worksheet. Go to [Report an Injury](#) at [nysif.com](http://nysif.com) to use NYSIF eFROI®.

Find a summary of eClaims reporting requirements in WCA1Q2014 at [nysif.com](http://nysif.com) > [About > Workers' Comp. Advisor](#)

**Important Information About eClaims Implementation**

*The NYS Workers' Comp Board (WCB) has adopted a new standard for electronic filing of workers' comp claims. The WCB refers to this new way of reporting as eClaims. Information on these forms must be submitted electronically as First Report of Injury (FROI) and Subsequent Report of Injury (SROI) transactions. Other employer filed forms including the C 240, C 11 and C 107 will remain the same.*

**NOTE:** Only the reporting method is changing. Statutory requirements for [www.ebiz.ny.gov](http://www.ebiz.ny.gov) remain the same.

**How to Report an Injury:**  
Employer's First Report of Injury (FROI) 00 should be made by using NYSIF's eFROI reporting system. NYSIF eFROI's are filed 24/7 on weekdays.  
The WCB requires new information from the employer for a first report of injury/illness. New fields added to NYSIF eFROI's effective Spring 2014 accept required data and facilitate NYSIF's reporting process. Changes include:

- Requiring the e-mail address of the person(s) initiating ("initiator") and submitting ("submitter") the FROI transaction
- Allowing an optional entry of Safety Group Manager/Broker e-mail address
- Selecting policy entity(ies) and policy location(s) information
- Industry Type and Classification Codes (from a drop down menu)
- Adding oral details regarding the accident/loss on Return To Work status and physical restrictions

**NOTE:** Electronic filing of a FROI will satisfy the employer's filing requirement. Filing a paper C 29 Employer's First Report of Work Related Injury/Illness will not satisfy the eClaims requirement to file a FROI 00. However, the employer or SRO must file a completed C 29 for injuries not meeting Workers' Comp. Law reporting requirements.

**SROI - Subsequent Report(s) of Injury**  
NYSIF must file all SROI transactions. No SROI transaction will be accepted by the WCB without first receiving and accepting a FROI transaction on SROI 1 transactions include:

- Accepting or denying a claim
- Initiating payment to the claimant
- Changing benefit amount or benefit type
- Suspending payments

**If there is no completed FROI 00 when a SROI is triggered:**  
NYSIF will contact the policyholder/group manager to advise the FROI 00 must be completed and submitted. If no completed FROI 00 is submitted within a four day period of the SROI trigger, NYSIF will submit a FROI 00 with default values to the WCB.

**Prompt accurate reporting, open lines of communication and compliance with requests for information from NYSIF staff will ensure timely filing and avoid penalties.**

**All Statuses:**  All Statuses  Pending  Completed  Not yet submitted  Out of file

**Now Navigation for NYSIF eFROI's This Spring**

- Click on [Report an Injury](#)
- Click [When to File a Report of Injury](#) for more information or click [Report an Injury to NYSIF](#) to enter NYSIF eFROI's
- Click "Sart eFROI" or the Policyholder Information tab and receive a NYSIF eFROI's transaction number
- Complete all required fields marked with a red \* asterisk
- Enter all available data before clicking "Save Form". It is not necessary to click "Save Form" on each page
- Navigate NYSIF eFROI's by clicking "Next" or "Previous" or clicking NYSIF eFROI's tabs on the navigation bar (above) without completing all required fields until clicking "Submit"

More information and references on the WCB eClaims page: [http://www.wcb.ny.gov/content/ebiz/eclaims/eclaims\\_overview.jsp](http://www.wcb.ny.gov/content/ebiz/eclaims/eclaims_overview.jsp)

* Was an object involved in the injury/illness?	
Was the injury the result of the use or operation of a licensed motor vehicle?	
If accident involves the employer's motor vehicle, all automobile insurance information is required.	
* Did the claimant's supervisor see the injury?	
Any witnesses? If so, who?	
* What was the claimant doing when injured?	
Names, addresses, contact information for medical providers and/or hospitals from whom the injured worker received treatment	
If employee received medical care, on what date?	
WCB number also known as a JCN and if applicable, the OSHA accident number	
* Who is reporting this loss?	
* eFROI Initiator, Broker/Safety Group Mgr and Submitter's email addresses	

# The Basics of Back Safety

No matter how large or small your business, no matter how basic or complex your operation, workers are at risk from a recurring group of injury causes. Businesses of all sizes are beset by the same accidents: workers routinely injured by falls, improper lifting, tools or machinery, motor vehicles and workplace violence. This year, to protect as many workers as possible, we address common injuries and their causes. If you have seen similar articles here and elsewhere it's because these safety hazards are so prevalent they are topics that bear repeating. This second installment focuses on back injuries and their prevention.

**A**gonizing back pain from injury, strain and overuse prevents many otherwise healthy workers from performing their jobs. It is a leading cause of lost workdays, workers' comp. claims and overuse of painkillers. What's more, back pain sometimes causes lifelong misery.

Back problems do not affect only heavy lifters. Anyone can injure his or her back, even while performing non-strenuous work. A back safety program can help reduce back injuries for all workers. The trick is learning how to harness the back's power while not overusing or straining it.

A major component of any safety program, education is an effective way to prevent injuries and keep workers productive. When it comes to back injuries, teach employees a few simple rules about lifting and carrying safely, and how their backs work. Point out how overall health affects their ability to lift, and encourage a healthy lifestyle that includes adequate rest and physical fitness.

Safe-lifting training is the first step in implementing a back safety program. See [WCA 4Q 2008](#) for a very employee-friendly article on back safety basics and one NYSIF field rep.'s approach to teaching this subject.

## OF BACKS AND CRANES

Back safety practically sells itself. When safety trainers ask whether their audience has experienced back pain, usually a good number will respond. Those who have suffered even temporary agony can motivate others to avoid pain and suffering. Still, some workers need more persuasion. They may be interested to learn that the same rules apply to their backs as to massive, skyscraping cranes.

It's hard not to be impressed by the power of construction cranes. Like our backs, however, cranes are strong but fragile. Safe lifting of all kinds is more than just picking up things and putting them down – it is using the power of knowledge as well as mechanical advantage. For backs and cranes the safety issue revolves around a structure that lifts and carries.

Properly operated, cranes lift tremendous loads and safely deposit their cargo. It requires great skill to plan the lift, guide the boom, acquire, lift and transport the load, and set it down



properly. One false move and the crane topples over or breaks apart. While cranes are usually operated properly, very often we do not use our backs safely or professionally. Accidents, strains and pain result when limits are exceeded or rules not followed.

While cranes are composed of straight components, our spines are 'S' shaped. This is its natural, strongest position, and backs in this position are less likely to become injured. Busy workers don't always think about keeping their backs in this natural position. They reach further than they should, twisting awkwardly and straining their backs.

## LIFTING, PUSHING AND PULLING

Supervisors should correct unsafe behaviors like improper lifting as soon as observed. They must be able to educate workers about how to do the job properly. When it comes to lifting, pushing or pulling anything, impress upon the worker that common sense and proper procedures must prevail.

When workers bend at the waist to pick up an item their spine is no longer in its natural, 'S' shape, and injury is more likely to occur. They are using weak muscles to lift both the load and their torsos. Even when workers lift the same kind of box or item every time, they should approach each as a separately planned lift. This leads to acquiring proper safe lifting habits.

Backs can also be injured when bending improperly. Low file cabinet drawers or shelves are common culprits, as are office machines with paper supplies close to the floor. Avoid lifting and carrying by keeping frequently used items nearby. Do not reach forward while lifting. Store frequently used materials at waist level to avoid bending or reaching overhead, across a desk or worktable. Bending or twisting for extended periods can lead to muscle fatigue and back pain.

Using mechanical lift equipment can save backs. Labor-saving



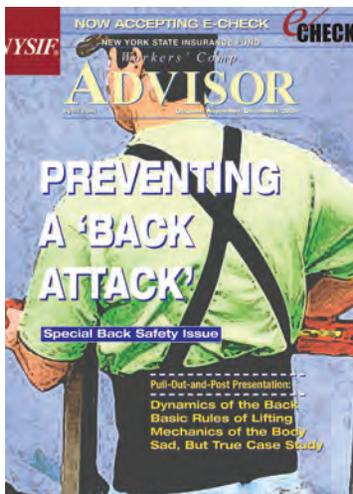
material handling devices avoid lifting and carrying. Manual and motorized devices, including forklifts, dollies, carts, hand trucks, and pallet jacks can eliminate the need for potentially dangerous lifts. Other devices include package lifters, indoor cranes and hoists. These machines must be used properly. OSHA has a specific standard concerning the safe use of motorized forklifts, for example.

### THE RISKS IN HEALTHCARE

Healthcare workers are prone to back strains and injuries, since their work often requires them to lift or help patients move. Since these tasks involve sick or incapacitated persons, they are more complicated and risky than material handling in other workplaces.

The body is heavy, delicate and awkward to handle. In addition, the center of gravity and the distance to the patient or resident can change while handling. This can suddenly put the caregiver in an awkward posture or position and require them to make forceful exertions.

Lifting or moving patients or residents require the cooperation of the healthcare worker, the person being moved, the equipment used and the work environment. There is a great variety of activities involved, including manual lifting, laterally transfer-



Special Back Safety Issue, *WCA4Q2008* features employee-friendly articles suitable for use in your back safety program. Go to [nysif.com>About>Workers' Comp. Advisor](http://nysif.com>About/Workers'Comp.Advisor)

ring between two horizontal surfaces, repositioning in bed or chairs, transporting people and equipment, stopping falls and helping patients up from the floor.

The worker's health, back condition, and adherence to training received often determine the outcome of a particular lift or repositioning task. Workers should assess each situation, always use proper body mechanics (lifting methods suitable for the task) or mechanical aids when available, work with others when required, and receive specific instructions when performing a new type of task.

Fortunately, cranes are often at work in these situations: manual or electrically operated assistive-lifting devices in healthcare settings use crane-like mechanisms to move or position patients. They can be real back savers!

### THE BOTTOM LINE

Like slips and falls, back injuries affect workers in a great many industries. Education is critical to preventing back problems.

Knowing and using proper lifting methods, paying attention to every lift, getting help or using assistive devices when needed, and knowing one's limits, will help keep backs in good condition, or prevent backs already compromised from getting worse. A little prevention can avert untold amounts of pain and misery.

## Arresting Back Pain

Safety experts often recommend the "Power Lift" as the best way to lift and carry general loads.

### Assume The Position (The Power Lift)

- Stand directly in front of the load with feet about shoulder width apart.
- Place one foot slightly forward of the other for balance. Then bend the knees and tighten the stomach muscles.
- Using both hands, grasp the object firmly and pull it as close as possible to the body.
- To change walking positions, turn the body completely instead of twisting at the stomach, similar to a military-type turn.

### Laws of Safe Lifting

- Never bend, lift and twist at the same time.
- Use mechanical aids or assistance when possible.
- Bend your knees and use your legs to lift.
- Avoid sudden movements.
- Keep the natural curve of the spine; don't bend at the waist.
- Think before you lift!

## The Interrogation

Before attempting to lift or move something heavy, analyze what needs to be accomplished. Think about:

- How heavy is the object?
- What is its shape? Is it cumbersome, or will it be easily manipulated?
- How far does it have to be moved?
- Where is it going to end up?
- Does anything need to be cleared away prior to lifting?
- Is it a two-person job?

### Just The Facts (Back Safety Resources)

- NYSIF Safety Basics Healthcare Series  
<http://ww3.nysif.com/Home/SafetyRiskManagement/OnlineSafetyResources/SafetyBasicsHealthcare.aspx>
- NYSIF Safety Matters - Back Safety  
<http://ww3.nysif.com/Home/SafetyRiskManagement/OnlineSafetyResources/SafetyMatters.aspx>
- NYSIF Safety Posters - Lift With Your Legs  
<http://ww3.nysif.com/Home/SafetyRiskManagement/OnlineSafetyResources/SafetyPosters.aspx>
- NYSIF Safety Posters - See Over Your Load  
<http://ww3.nysif.com/Home/SafetyRiskManagement/OnlineSafetyResources/SafetyPosters.aspx>

What Are Your Accident Concerns? E-mail [jmesa@nysif.com](mailto:jmesa@nysif.com)

**Workers' Comp. Advisor**  
**New York State Insurance Fund**  
**Media and Publications Office**  
**13th Floor**  
**199 Church Street**  
**New York, NY 10007**

PRSR STD  
U.S. POSTAGE  
PAID  
Permit #125  
Farmingdale, NY

**Andrew M. Cuomo**  
Governor

**Kenneth R. Theobalds**  
Chairman



**Commissioners**

Chair **Kenneth R. Theobalds**, VP, Gov't. & Regulatory Affairs, Entergy • Vice Chair **Barry Swidler**, CEO, Long Island Carpet Cleaners, Inc. • **Joseph Canovas**, New York AFL-CIO • **Eileen A. Frank**, President, J.P. West, Inc. • **David E. Ourlicht**, Managing Director, GAMCO Asset Management • **Peter M. Rivera** (ex-officio), Commissioner, State Dept. of Labor

**Executive Director**

Eric Madoff

**Deputy Executive Directors**

Dorothy A. Carey, Shirley Stark

**Secretary to the Board of Commissioners**

Francine James

**Business Managers** Michael Rachek *Bronx/Queens*  
Lorna Morris *Brooklyn/Staten Island* Les Javorsky *Lower Manhattan*  
John Zenkewich *Upper Manhattan* Augusto Bortoloni *Albany*  
Thomas Racko *Binghamton* Ronald Reed *Buffalo*  
Cliff Meister *Nassau* Lisa Ellsworth *Rochester*  
Catherin Carrillo *Suffolk* Patricia Albert *Syracuse*  
Carl Heitner *White Plains*

Workers' Comp. Claims & Service **1-888-875-5790**  
Disability Benefits Claims & Service **1-866-697-4332**  
Business office contact information [nysif.com](http://nysif.com)

Send WCA comments to [jmesa@nysif.com](mailto:jmesa@nysif.com)

**A NYSIF 'U' REFRESHER**

*NYSIF's education and information series for employers.*



**Fraud File: 83 Arrests, 10.9M Savings, Restitution**

NYSIF Division of Confidential Investigations (DCI) racked up 83 arrests for workers' comp. fraud in 2013, resulting in \$1,526,325 in restitution and \$9,400,390 in additional billed premium and estimated savings.

**Notable cases included:**

■ Eric Goldstein, principal of GT Systems, an employee-leasing firm, pled guilty to a "C" felony and was sentenced to five years probation and a \$5 million judgment in a premium fraud case. NYSIF received down payment of \$200,000 toward the judgment.

■ DCI assisted in the investigation of Dr. Spyros Panos. Dr. Panos was sentenced to 54 months in prison after pleading guilty in White Plains federal court to defrauding numerous insurers of \$2.5M, including fraudulently billing NYSIF between 2007 and 2011.

■ Former NYS Corrections Officer David Perry was sentenced on Dec. 19, 2013, to four to 12 years in state prison for fabricating an injury in 2003 to collect workers' comp. and disability benefits totaling \$107,402.

DCI's Narcotics Diversion Unit had an active year in 2013, participating in an ongoing initiative with the NYS Police that crosschecks information provided by law enforcement officials to identify and refer claimants involved in illegal drug sales, resulting in the prosecution of several claimants.

[ *If you have a question for NYSIF 'U' e mail [jmesa@nysif.com](mailto:jmesa@nysif.com) ]*

NEW YORK STATE INSURANCE FUND

**NYSIF is leading the fight against workers' compensation fraud.**

You can help.

'Red Flags' of Claims Fraud Policy and Provider Fraud Reporting Fraud to NYSIF

[nysif.com](http://nysif.com)

See *NYSIF Leads the Fight Against Fraud* for "red flags" of fraud at [nysif.com](http://nysif.com)>[About](#)>[Online Publications](#)