



**District Attorney
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: December 15, 2015

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Dan Underwood PHONE: 636-5494

SUBJECT: Ratify and approve an agreement with the Insurance Commissioner of the State of California.

REQUEST(S):

That the Board of Supervisors:

1. Ratify and approve the Grant Award Agreement for acceptance of grant funding from the Insurance Commissioner of the State of California for the Workers' Compensation Insurance Fraud Prosecution Program in the amount of \$499,258 retroactive to July 1, 2015 through June 30, 2016, and recognize an additional \$27,162 in carry over funds and \$213 in program interest from Fiscal Year 2014/2015, for a total of \$526,633. This grant is retroactive due to having received the signed grant award in November 2015.
2. Ratify and approve the District Attorney's signature on the Agreement.
3. Find that the Board had authority to enter into the proposed agreement as of July 1, 2015 and that it was in the County's best interest to enter into the agreement on that date.
4. Approve the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).
5. Direct the Board Clerk to prepare a certified copy of the resolution for the District Attorney's Office.

SUMMARY:

The purpose of the Workers' Compensation Insurance Fraud Prosecution Program is to increase the investigation and prosecution of fraudulent workers' compensation cases. The Program targets those individuals who are actively

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involved in defrauding Tulare County businesses, governmental entities, and insurance companies of millions of dollars through false claims and premium fraud.

The Office of the District Attorney has been awarded this grant for several years. The grant period for this renewal is July 1, 2015 through June 30, 2016. However, the countersigned Grant Award Agreement, which the District Attorney of the County is specifically required to sign, was not received from the California Department of Insurance until November 2015. Therefore, the District Attorney's Office requests that this agreement is ratified and approved, retroactive to July 1, 2015.

This agreement was reviewed and approved as to form by County Counsel on November 30, 2015, and does not include any deviations from the County contract protocol.

FISCAL IMPACT/FINANCING:

The attached AUD 308 includes revenue and expenses reflecting the total award, carry over and interest for this grant program. There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year Strategic Business Plan and Management System include Safety and Security initiatives to provide for the safety and security of the public. The authorization to accept continued grant funding from the California Department of Insurance helps to fulfill this initiative by continuing to provide dedicated staff to investigate and prosecute workers' compensation insurance fraud cases throughout Tulare County, protecting businesses and individuals from being victims of this kind of fraud.

ADMINISTRATIVE SIGN-OFF:

Dan Underwood
Assistant District Attorney

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Attachment A: Grant Award Amendment
Attachment B: AUD 308

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF RATIFY AND)
APPROVE AN AGREEMENT WITH THE) **Resolution No.** _____
INSURANCE COMMISSIONER OF THE) **Agreement No.** _____
STATE OF CALIFORNIA.)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL M. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

1. Ratified and approved the Grant Award Agreement for acceptance of grant funding from the Insurance Commissioner of the State of California for the Workers' Compensation Insurance Fraud Prosecution Program in the amount of \$499,258 retroactive to July 1, 2015 through June 30, 2016, and recognize an additional \$27,162 in carry over funds and \$213 in program interest from Fiscal Year 2014/2015, for a total of \$526,633. This grant is retroactive due to having received the signed grant award in November 2015.
2. Ratified and approved the District Attorney's signature on the Agreement.
3. Found that the Board had authority to enter into the proposed agreement as of July 1, 2015 and that it was in the County's best interest to enter into the agreement on that date.
4. Approved the necessary budget adjustments per the attached AUD 308 (4/5ths vote required).
5. Directed the Board Clerk to prepare a certified copy of the resolution for the District Attorney's Office.

DA
Co. Counsel
Auditor

DAY

AUD-308 - Budget Adjustment Form

8:55 AM

12/03/15						5/16		2016	
Date		Document ID Number		Accounting Period		Budget Fiscal Year			
				District Attorney		Karen McVaigh		623-0683	
				Agency Name		Contact Person		Phone	
								Extension	

Action** A,C,D	Fund	Dept	Appr #				LEVEL 1 Finish Here	Current Amount	Revised Amount	Inc / Dec Amt
C	001	100	100SBEN					18,944,783	18,950,745	5,962
C	001	100	100SSUP					1,706,124	1,727,537	21,413
										-
										-
										-
										-
										-
										-
Appropriations Total							<i>Need Not Equal Zero</i>	20,650,907	20,678,282	27,375

Action** A,C,D	Fund	Dept	Appr #	Unit	Object	Rev	LEVEL 2 Start Here	Current Amt	Revised Amount	Inc / Dec Amt
C	001	100	100SBEN	3182	6001			324,994	330,956	5,962
C	001	100	100SSUP	3182	7043			6,000	7,500	1,500
C	001	100	100SSUP	3182	7074			5,181	11,519	6,338
C	001	100	100SSUP	3182	7036			500	2,000	1,500
C	001	100	100SSUP	3182	7066			978	13,053	12,075
C	001	100		3182		5064		499,258	526,633	(27,375)
										-
										-
										-
										-
										-
										-
										-
										-
										-
Line Total							<i>Must Equal Zero</i>	\$ 836,911	\$ 891,661	\$ -

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

Received \$27,162 in carryover funds for workers compensation. Bringing in revenue and expense for carryover plus \$213 earned interest. No change to NCC. Outstanding AUD 308's may change the level 1 calculation slightly.

_____ Affected Dept Head Signature _____ Other Affected Dept Head Signature

Checked By: _____ Entered By: _____
 County Executive Office Action: No. _____ Date: _____
 () Approved () Disapproved Distribution: 1: BOS/CAO/Auditor
 By: _____
 Board of Supervisors Action: No. _____ Date: _____

** Action Codes: A=Add, C=Change, D=Deactivate
 * Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, except for ISFs
 * Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa
 * Whenever a 97XX account budget is adjusted, a corresponding 98XX account budget must be adjusted in the billing agency, and vice versa