



RESOLUTION No. **20-112**

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ACCEPTING AN AMENDMENT TO THE CALIFORNIA DEPARTMENT OF INSURANCE WORKER'S COMPENSATION FRAUD GRANT IN THE AMOUNT OF \$669.00 FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2020, RATIFYING EXECUTION OF THE AGREEMENT BY THE DISTRICT ATTORNEY AND APPROVING A RELATED BUDGET AMENDMENT (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, the Nevada County District Attorney's Office applied for and has been awarded Worker's Compensation Fraud Insurance Grant Funds by the California Department of Insurance; and

WHEREAS, an amended award for Worker's Compensation Insurance Fraud Grant funds in the amount of \$669.00 have been made available for the period of July 1, 2019 to June 30, 2020 for a total award of \$98,395.00; and

WHEREAS, the Nevada County Board of Supervisors desires to maintain a Worker's Compensation Insurance Fraud program through funds administered by the California Department of Insurance; and

WHEREAS, any liability arising out of performance of Grant Award Agreement, including civil court actions for damages is the responsibility of the grant recipient and the authorizing agency; and

WHEREAS, the Grant funds received hereunder may not be used to supplant existing expenditures controlled by this body; and

WHEREAS, the District Attorney executed an Agreement regarding the acceptance and use of the Grant Funds on February 27, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada hereby accepts additional Worker's Compensation Fraud Grant Funds in the amount of \$669.00 for use from July 1, 2019 to June 30, 2020 to investigate and prosecute Worker's Compensation Insurance Fraud.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby ratifies the District Attorney's execution of the Amendment to the Grant Agreement, effective as of February 27, 2020, and authorizes the District Attorney to execute all payment requests and related documentation necessary to secure the grant funds.

BE IT FURTHER RESOLVED that all Worker's Compensation Fraud Grant Funds received shall be deposited into District Attorney Revenue Account 0101 20103 101 1000 445090 and that the Fiscal Year 2019/20 budget is hereby amended to increase the following revenue and expenditure accounts as follows:

0101 20103 101 1000	445090	\$669.00
0101 20103 101 1000	521470	\$669.00

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 14th day of April, 2020, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller,
Susan K. Hoek and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Heidi Hall, Chair

4/14/20 cc: DA*
A-C*



RICARDO LARA
CALIFORNIA INSURANCE COMMISSIONER

February 21, 2020

Denise Harben
Senior Administrative Analyst
Nevada County District Attorney's Office
201 Commercial Street
Nevada City, CA Harben

RE: Fiscal Year 2019-20 Workers' Compensation Insurance Fraud Program Grant Award Amendment

Dear Denise Harben:

I am pleased to inform you that the amended grant award for the Fiscal Year 2019-20 Workers' Compensation Insurance Fraud Program for Nevada County is **\$98,395** which is an increase of **\$669** above the initial funding amount. This amended grant award is to be used specifically for the enhanced investigation and prosecution of workers' compensation insurance fraud.

Enclosed are two original Grant Award Agreements for signature. Please have the official designated in the Resolution from the Board of Supervisors sign and date both originals and return to the address below by **March 20, 2020**. Once the Agreements are fully executed, a signed Grant Award Agreement will be returned to you.

If the previously submitted Fiscal Year 2019-20 Resolution does not provide authority to accept amended funding, a new BOS Resolution is required. Sample Resolution wording can be provided upon request.

Return to: CDI Enforcement Branch Headquarters
Local Assistance Unit Manager
2400 Del Paso Road, Suite 250
Sacramento, CA 95834

Sincerely,

Jan Perschler

Janis Perschler
Manager, Local Assistance Unit

Enclosures

cc: Henry Penaluna, Chief District Attorney Investigator

**INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA**

GRANT AWARD AGREEMENT of Additional Funds for Fiscal Year 2019-20 Workers' Compensation Insurance Fraud Program
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The Insurance Commissioner of the State of California hereby makes an amendment to the award of funds to **Nevada County**, Office of the District Attorney, in the amount and for the purpose and duration set forth in this grant award.

This grant award consists of this agreement and the application for the grant and made a part hereof. By acceptance of the grant award, the grant award recipient agrees to administer the grant program in accordance with all applicable statutes, regulations, and Request-for-Application (RFA).

Duration of Amended Grant: The grant award is for the program period **July 1, 2019** through **June 30, 2020**.

Purpose of Amended Grant: This grant award is made pursuant to the provisions of California Insurance Code Section 1872.83 and shall be used solely for the purposes of enhanced investigation and prosecution of workers' compensation insurance fraud cases.

Amount of Amended Grant: The grant award agreed to herein is in the amount of **\$98,395** which is an increase of **\$669** above the initial funding amount. This amount has been determined by the Insurance Commissioner with the advice and consent of the Fraud Assessment Commission based on the estimated funds collected pursuant to Section 62.6 of the Labor Code. However, the actual total award amount for the county is contingent on the collection of assessments and the authorization for expenditure pursuant to Government Code Section 13000 et seq. The grant award shall be distributed pursuant to Section 1872.83 of the Insurance Code and the California Code of Regulations Subchapter 9, Article 3, Sections 2698.53, 2698.54, and 2698.57.

<p>Official Authorized to Sign for Applicant/Grant Recipient</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p>Name: Clifford Newell Title: District Attorney</p> <p>Address: 201 Commercial Street Nevada City, CA 95959</p> <p>Date: _____</p>	<p>RICARDO LARA Insurance Commissioner</p> <hr style="border: 0; border-top: 1px solid black; margin: 10px 0;"/> <p>Name: George Mueller Title: Deputy Commissioner</p> <p>Date: _____</p>
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I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure.

Crista Hill, Budget Officer, CDI

Date