



RESOLUTION No. 20-476

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ACCEPTING A CALIFORNIA DEPARTMENT OF INSURANCE WORKERS' COMPENSATION INSURANCE FRAUD GRANT IN THE AMOUNT OF \$107,459.00 FOR THE PERIOD OF JULY 1, 2020 TO JUNE 30, 2021 AND AUTHORIZING THE DISTRICT ATTORNEY TO EXECUTE THE AGREEMENT AND AMENDING FISCAL YEAR 2020/2021 DISTRICT ATTORNEY BUDGET (4/5 AFFIRMATIVE VOTE REQUIRED)

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

WHEREAS, Workers' Compensation Insurance Fraud Grant Funds in the amount of \$107,459.00 have been made available for the period of July 1, 2020 to June 30, 2021; and

WHEREAS, a budget amendment in the amount of \$9,733.00 is needed for the incremental amount of the award that was not in the original Fiscal Year 2020-2021 budget; and

WHEREAS, the Nevada County Board of Supervisors desires to continue a Workers' Compensation Insurance Fraud program to be funded in part from funds administered by the California Department of Insurance; and

WHEREAS, the Grant funds received hereunder shall not be used to supplant existing expenditures controlled by this body.

NOW, THEREFORE, BE IT RESOLVED that this Resolution shall be adopted by a four-fifths majority by the Board of Supervisors of the County of Nevada, State of California, that accepts the Workers' Compensation Insurance Fraud Grant Funds in the amount of \$107,459.00 for use from July 1, 2020 to June 30, 2021 to investigate and prosecute workers' compensation insurance fraud, and authorizes the District Attorney to execute all necessary contracts, payment requests, agreements and amendments for the purposes of securing these grant funds and to implement and carry out the purposes specified in the application. The grant funds received in the amount of \$107,459.00 for said project shall be deposited into District Attorney Revenue Account 0101 20103 101 1000 445090.

BE IT FURTHER RESOLVED that the Board of Supervisors directs the Auditor-Controller to amend the District Attorney's Fiscal Year 2020/2021 budget as follows:

0101-20103-101-1000/ 521480	\$4,000
0101-20103-101-1000/ 521520	\$2,000
0101-20103-101-1000/ 521900	\$1,500
0101-20103-101-1000/ 522271	\$2,233

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10th day of November, 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

11/10/2020 cc: DA(1)
AC*



RICARDO LARA
CALIFORNIA INSURANCE COMMISSIONER

July 22, 2020

The Honorable Clifford Newell
District Attorney
Nevada County District Attorney's Office
201 Commercial Street
Nevada City, CA 95959

**RE: Grant Award for Workers' Compensation Insurance Fraud Program
Fiscal Year 2020-2021**

Dear District Attorney Newell:

I am very pleased to report that, for Fiscal Year 2020-2021, \$45,889,371 is available in Workers' Compensation Insurance Fraud Program (Program) grant funds to distribute to 36 District Attorney Offices representing 46 counties, of which **Nevada County** has been awarded **\$107,459** for this important Program. This grant award is to be used for the investigation and prosecution of workers' compensation insurance fraud.

The decision to grant these funds was made by my Department staff, in consultation with the California Fraud Assessment Commission. Each application received for grant funding was thoroughly reviewed, with consideration given to the goals and objectives set by me and the Fraud Assessment Commission earlier this year.

It is my continuing intent that these funds be used effectively to pursue and investigate fraud across California. It is also important to focus these finite resources on combating fraud that continues to increase costs on the workers' compensation system, including medical provider insurance fraud, employer premium fraud, insider fraud, and claimant fraud, among others. Additionally, a coordinated and aggressive outreach program to all communities by your Office, including to diverse and underserved communities, with measurable outcomes remains a priority.

Thank you for submitting your application for grant funding. Please feel free to contact Eric Charlick, Fraud Division Chief, (559) 440-5922 should you have any questions regarding your application and award. I look forward to working together with you in our continuing pursuit against workers' compensation insurance fraud.

Sincerely,

RICARDO LARA
Insurance Commissioner

cc: Mr. Henry Penaluna, Chief District Attorney Investigator

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**INSURANCE COMMISSIONER
OF THE STATE OF CALIFORNIA**

GRANT AWARD AGREEMENT

Fiscal Year 2020-21

Workers' Compensation Insurance Fraud Program


The Insurance Commissioner of the State of California hereby makes an 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 Grant: The grant award is for the program period **July 1, 2020 through June 30, 2021**.

Purpose of 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 Grant: The grant award agreed to herein is in the amount of **\$107,459**. 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/> <p>Name: Clifford Newell Title: District Attorney</p> <p>Address: 201 Commercial Street Nevada City, CA 95959</p> <p>Date: <u>9/28/2020</u></p>	<p>RICARDO LARA Insurance Commissioner</p> <hr/> <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