

State Attorney's Office Targeting Miami Workers' Compensation Fraud

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The Miami-Dade County State Attorney's Office has decided to wage another war against fraud in the community. The office has recently ramped up efforts to investigate and prosecute Miami [workers' compensation fraud](#). The most frequent type of workers' compensation fraud commonly involve workers faking injuries and receiving benefits from the State of Florida. The State Attorney's Office created the pilot program which not only investigates and prosecutes employees faking injury, but also businesses that violate state law by failing to pay the required insurance premiums. An upswing in worker's compensation crimes will lead to more defense work for [Miami criminal defense lawyers](#).

Miami-Dade County State Attorney Katherine Fernandez-Rundle issued the following statement regarding the pilot program, "With the economic situation deteriorating, people are finding all kinds of way to get quick money, but nothing is slipping through the cracks. These cases are being intensely investigated and prosecuted." The State of Florida Division of Insurance Fraud has issued a grant to Miami-Dade County in the amount of \$136,000.00 to fund the program. Miami is currently the only county to have been granted state funds to prosecute workers' compensation fraud. Broward County prosecutes similar cases, but they are handled by the white collar crimes unit.

During the last fiscal year, statewide prosecutions for workers' compensation fraud led to 532 criminal convictions, 20 of which were in Miami-Dade and 13 in Broward County. Restitution awarded back to the State of Florida exceeded \$34 million. Department of Insurance and worker's compensation investigators with the assistance of the state attorney's office hopes to double the number of arrests this year. While worker's compensation fraud is a felony offense, the punishments in the past were not very onerous if the amount of the fraud was limited in the amount of monetary loss. The majority of worker's compensation violators were first time offenders and were able to avail themselves of the pre-trial diversion program, if prosecutors could meet their standard of proof. As an experienced [Miami criminal lawyer](#), it is apparent that nominal punishments may no longer be in the cards. The same thing happened in other insurance fraud cases, such as in staged automobile accidents.

Before [staged accidents](#) became popular, first time offenders were generally looking at pre-trial diversion. Now, only cooperating witnesses involved in staged accidents will be permitted to enroll in the program. Workers' compensation cases will probably be handled in the same way, as the same section in the Miami-Dade State Attorney's Office handles all insurance fraud cases. Another point that needs to be understood is that the Department of Insurance Fraud has recently been unforgiving in the handling of fraud cases. They know that if cases are prosecuted to the fullest, they may lose state funding. If you are contacted regarding a Miami workers' compensation fraud investigation, contact an experienced Miami criminal lawyer before speaking to law enforcement investigators.