

School: ATEC – Risk Management
Course: Investigating with Integrity
Faculty: Steve Figliuolo, Principal Program Lead – Claims, Chick-fil-A
Kevin Lederer, Director of Client Engagement, Command Investigations

Summary

In the course "Investigating with Integrity," Steve Figliuolo of Chick-fil-A and Kevin Lederer of Command Investigations explore the delicate balance between thorough investigation and employee advocacy in workers' compensation claims. Both instructors bring a wealth of experience in the insurance and investigation industries, emphasizing the importance of integrity, transparency, and effective communication.

Introduction to Employee Advocacy and Investigation: Steve Figliuolo begins by defining the role of risk management and the concept of employee advocacy. He stresses that the best claim is one that never exists, advocating for proactive measures to prevent injuries. Figliuolo highlights the importance of understanding key players in the claims process, including insurance companies, third-party administrators, and vendor partners. He likens a successful claims program to a team effort, where collaboration is crucial.

Principles of Employee Advocacy: The course emphasizes the dual role of risk managers: ensuring safety and managing claims effectively. Figliuolo underscores that insurance policies are promises to pay what is owed while defending against unjust claims. This requires a focus on employee safety, reducing costs, and increasing operational efficiency. He advocates for clear communication with employees about the claims process to build trust and transparency. This includes explaining terms like "average weekly wage" and addressing common employee concerns.

Investigative Methods and Red Flags: Kevin Lederer takes over to discuss various investigative methods and the importance of identifying red flags that warrant further investigation. He lists several red flags, such as late reporting of injuries, vague accident details, lack of witnesses, disgruntled employees, and prior claims history. Lederer emphasizes that these indicators do not necessarily prove fraud but suggest a need for closer scrutiny.

Background Investigations and Medical Canvassing: Background investigations are crucial in understanding an employee's history and potential risks. Lederer explains the importance of pre-employment background checks and post-claim investigations to verify information and uncover any inconsistencies. Medical canvassing is highlighted as

a method to discover preexisting conditions or previous injuries, providing a clearer picture of the claimant's medical history.

Surveillance and Ethical Considerations: Surveillance is a key tool in verifying the legitimacy of claims. Lederer describes it as the ethical and unbiased documentation of a claimant's activities. He outlines legal considerations, such as the claimant's right to privacy in non-public areas, and stresses the importance of conducting surveillance in a reasonable and unobtrusive manner. Examples include using public venues for surveillance and ensuring activities can be observed from public spaces.

Social Media Investigations: The role of social media in investigations is explored, with Lederer explaining how social media platforms can provide valuable insights into a claimant's activities. He emphasizes the need for both manual searches and technology to uncover a claimant's internet presence. Social media investigations can reveal inconsistencies in a claimant's reported activities and actual behavior, helping to confirm or refute claims.

Practical Applications and Case Studies: Throughout the course, Figliuolo and Lederer provide real-world examples and case studies to illustrate their points. These include instances of employees misrepresenting their activities, such as a "twerker compensation claim" where surveillance footage contradicted the employees' injury reports. Another example involves a medical canvas revealing a claimant's preexisting condition that was not disclosed.

Conclusion and Best Practices: The course concludes with a reiteration of the importance of integrity, transparency, and employee advocacy in the investigation process. Figliuolo and Lederer encourage continuous improvement in investigative techniques and emphasize the need for ethical practices. They highlight that while the percentage of fraudulent claims is low, thorough investigation ensures that resources are allocated correctly and genuine claims are handled with care and respect.

In summary, "Investigating with Integrity" provides a comprehensive overview of balancing thorough investigation with employee advocacy. It emphasizes the importance of clear communication, identifying red flags, and using various investigative methods to ensure fair and just outcomes in workers' compensation claims.

Learning Objectives

1. Understand the principles of conducting investigations with integrity and the importance of employee advocacy.

2. Identify key players and their roles in the investigation and claims process.
3. Learn effective communication strategies to build trust with injured employees.
4. Recognize red flags that may indicate the need for further investigation.
5. Explore various investigative methods and tools to assess the legitimacy of claims.

Primary Takeaways

1. Investigating claims with integrity involves balancing thorough investigation with employee advocacy to ensure fair treatment.
2. Effective communication and transparency in the claims process build trust and lead to better outcomes for injured employees.
3. Identifying and understanding the roles of different stakeholders in the claims process is crucial for effective risk management.
4. Recognizing red flags such as late reporting, vague accident details, and prior claims history can help in identifying potential fraudulent claims.
5. Utilizing various investigative methods, including background checks, medical canvassing, surveillance, and social media investigations, can provide comprehensive insights into the legitimacy of claims.

Course Outline

- 1) Introduction to Investigating with Integrity
 - a) Importance of Employee Advocacy
 - b) Role of Investigators in Claims Management
- 2) Key Players and Their Roles
 - a) Insurance Companies and Underwriters
 - b) Third Party Administrators (TPAs)
 - c) Vendor Partners and Investigators
- 3) Effective Communication Strategies
 - a) Building Trust Through Transparency
 - b) Explaining the Claims Process to Employees
 - c) Addressing Common Employee Concerns
- 4) Identifying Red Flags in Claims
 - a) Late Reporting
 - b) Monday Morning Reporting
 - c) Vague Accident Details
 - d) No Witnesses

- e) Disgruntled Employees
 - f) Prior Claims History
 - g) Immediate Attorney Involvement
- 5) Investigative Methods and Tools
- a) Background Investigations
 - i) Pre-Employment Background Checks
 - ii) Post-Claim Background Checks
 - b) Medical Canvassing
 - i) Identifying Preexisting Conditions
 - ii) Expanding Beyond Medical Facilities
 - c) Surveillance
 - i) Ethical and Legal Considerations
 - ii) Effective Use in Public and Private Settings
 - d) Social Media Investigations
 - i) Manual Searches and Technology Integration
 - ii) Monitoring for Real-Time Insights
- 6) Real-World Examples and Case Studies
- a) Surveillance Case: Dance Off Competition
 - b) Vet Canvas Case: Dog Ownership Discovery
 - c) Medical Appointment Surveillance
- 7) Conclusion and Best Practices
- a) Balancing Investigation and Advocacy
 - b) Continuous Improvement in Investigation Techniques
 - c) Encouragement for Ethical Practices

NOTE: Artificial Intelligence was used in the creation of this document.