



INSPECTOR GENERAL REPORT

2011-05-0187

March 1, 2013

SPD DEPENDENT AUDIT INVESTIGATION

Inspector General Staff Attorney Todd Shumaker, after an investigation by Special Agent Mark Mitchell, reports as follows:

Throughout 2011, the State Personnel Department (SPD) forwarded to the Office of Inspector General (OIG) a series of complaints alleging possible insurance fraud that arose out of a Dependent Eligibility Verification Audit (Audit) by SPD. Among those complaints was one against an Indiana Department of Correction (IDOC) employee (Employee) who enrolled his ex-wife on his state-sponsored medical, dental, and vision plans following the finalization of his divorce.

The OIG is charged by the Indiana General Assembly to address fraud, waste, and abuse in state agencies. IC 4-2-7-2(b). In so doing, the OIG is instructed to supervise and coordinate investigations. IC 4-2-7-3(1).

OIG Special Agent Mark Mitchell was assigned to investigate. In reviewing documents provided by SPD and conducting interviews, Special Agent Mitchell discovered the Employee and his ex-wife were divorced on August 20,

2008. Consistent with SPD policy, the Employee was obligated to report this divorce to SPD within 30 days in order to have his ex-wife removed from coverage under his state benefits. The Employee failed to comply with this policy and instead re-enrolled his ex-wife for coverage during each of the three Open Enrollment periods following the finalization of his divorce.

The Employee was terminated from state employment and is being pursued by the Office of Attorney General for the repayment of the \$284.42 in claims that were paid by the state on behalf of his ex-wife.

Since the Employee re-enrolled his ex-wife on his state-sponsored benefits plans during the Open Enrollment periods following his divorce, Special Agent Mitchell presented the findings of his investigation to the Marion County Prosecutor's Office on January 30, 2013 for consideration of criminal charges of Insurance fraud. Criminal prosecution was declined and the OIG agrees with this disposition under the above circumstances. Accordingly, the investigation will be closed.

APPROVED BY:

/s/ David O. Thomas, Inspector General