

## Investigative Unit Operations Plan

**County:** Putnam

**Contact Person:** Elizabeth Barcavage

**Title:** Legal Specialist

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- 1. What unit is responsible for the investigation of client fraud allegations? Please provide the name of the unit, # of positions, titles of positions, and how allegations are processed.**

The Legal Services Unit has within it a Resource Recovery Unit which is responsible for the investigation and resolution of fraud allegations. There is one full-time Senior Resource Specialist (SRS) who manages the caseload, receives referrals, investigates and resolves issues. In addition, there is a senior typist available for administrative support. The Legal Units Legal Specialist (LS) oversees the Resource Recovery Unit, and reviews all referrals and outcomes. Counsel to DSS oversees the Legal Unit and the Resource Recovery Unit.

- 2. What unit is responsible for the prosecution of client fraud allegations? Please provide the name of the unit, # of positions, titles of positions, and how allegations are processed.**

Legal and Resource Recovery are responsible for handling all phases of fraud allegations. Program Workers refer cases to SRS via FEDS or direct referrals. SRS also receives web and phone referrals. All referrals of any type are reviewed and logged in by LS, then fraud referrals are retained or forwarded to SRS for investigation. LS and SRS will conference on results of investigation to determine outcome. If case warrants a referral will be made to the District Attorney for further action. Outcomes include no action, case closing, case rebudgeted, recoupment, restrictions or sanctions, Intentional Program Violation, Administrative Disqualification and/or criminal prosecution.

**3. What unit is responsible for determining the overpayment amount, establishing the claim, and collection activities?**

The SRS works directly with the program units to establish the amount of the overpayment and to start the recoupment process. Clients on assistance repay through CAMS and closed cases are billed monthly. SRS drafts, files and maintains liens, initiates Estate claims and manages other methods of collection activity.

**4. What are the step by step procedures for the referral of fraud cases for administrative hearings, including the notices provided and the timing of providing such notices?**

When a case investigation warrants action other than closing and needs a higher level of action, the SRS will decide to pursue an Administrative Disqualification or Intentional Program Violation. In conjunction with the program worker, an evidence packet is prepared including a case summary and all pertinent evidence to be presented. Notices are provided in accordance with Social Services Law. SRS will also conference to explore the possibility of client consenting to repayment as an alternative to an administrative hearing or prosecution, through a Disqualification Consent Agreement (DCA).

**5. What are the step by step procedures for the referral of fraud cases to your District Attorney, including the notices provided and the timing of providing such notices?**

When fraud cases warrant possible prosecution, SRS will complete a referral to the designated prosecutor at the District Attorney's Office. LS will contact the A.D.A. and SRS will work directly with A.D.A. to provide all necessary documentation. Notice will be provided to the client in accordance with Social Service Law. A.D.A. will review and give a determination as per the Agreement.

**6. What are your procedures for offering a Disqualification Consent Agreement (DCA)?**

Putnam County does not offer a Disqualification Consent Agreement to clients who are willing to sign in lieu of referral for possible prosecution.

**WELFARE FRAUD INVESTIGATION  
AND PROSECUTION AGREEMENT**

In order to define the respective responsibilities in the investigation and prosecution of alleged welfare fraud cases, the Putnam County Department of Social Services and the Putnam County District Attorney's Office shall agree as follows:

1. *The Putnam County Department of Social Services shall:*
  - a. Refer to the Putnam County District Attorney's Office all cases it believes warrant criminal prosecution due to alleged welfare fraud activities.
  - b. Include with the referred case, a complete package of all documentary evidence, an investigation summary, and any mitigating facts or circumstances known to the Department.
  - c. Prepare all forms required by the State Department of Social Services in conjunction with the prosecution of referred cases.
  - d. Assist the District Attorney's Office in obtaining Disqualification Consent Agreements.
  
2. *The Putnam County District Attorney's Office shall:*
  - a. Review and investigate all cases of alleged welfare fraud referred by the Department of Social Services.
  - b. Accept for prosecution, decline to prosecute, or settle referred cases in a reasonable amount of time.
  - c. Give the Department of Social Services a minimum of ten calendar days advance notice of the scheduled date an individual, who defers adjudication, is to sign a Disqualification Consent Agreement.
  - d. Submit to the proper forum for entry on the record any and all State Department of Social Services forms, prepared by the Putnam County Department of Social Services, as mandated by the State Department of Social Services.

This parties involved have signed this Agreement on the day and year appearing opposite their respective signatures.

PUTNAM COUNTY  
DEPARTMENT OF SOCIAL SERVICES

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Michael J. Piazza, Jr., Commissioner

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Faye Thorpe, Esq., Counsel

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Robert Tendy, District Attorney