



**BACKGROUND** (continued)

The new investigative firms selected have a reputation for aggressive and innovative problem solving in gathering facts needed to document abuse and fraud cases. Over the last two years we have seen a major reform of the workers' compensation system. This has resulted in rate increases for temporary, permanent disability and death benefits. There are new presumptions for Safety Members regarding low back injuries and amendments to the law involving cancer claims which will make it more difficult to defend these cases. Although we recognize that there is a budget crisis the last actuarial review cited Riverside County as 31% lower in frequency of claims compared to five other counties of comparable size. This was only achieved by investing our money wisely in defense of questionable claims and fighting potential fraud cases. We recommend approval of an hourly rate for investigations involving statements at \$53.00 and \$55.00 for sub-rosa investigations. We believe it is necessary to increase fees to maintain the level of quality for aggressive claims handling.

The four new law firms present references from public agencies, and have a reputation for aggressive defense. Bradford & Barthel has set recent case law for the Health Care Organization extended medical control program. This firm is becoming the expert in areas of medical control litigation. Given changes to the workers' compensation industry for 2003, this kind of expertise will be valuable to the County of Riverside. Wilson, Pesota & Fox's, senior partner was recently awarded the Attorney of the Year Award for the Inland Empire. The Law Offices of Edward Samaha handled several cases for the industry while working for the Los Angeles County Counsel Office. We recommend approval of hourly rate for associates of \$135.00 and \$140.00 for senior partners.

These contracts will be consummated upon completion of the HIPAA Business Associate Agreement, Addendum to Contract.

County Counsel has approved the contracts as to form. We seek ratification of payments for the following vendors:

Law Offices of Serembe, Bakke & Seaman  
Adelson, Testan & Brundo (formerly Testan, Klein & Brundo)  
Hanna, Brophy, MacLean, McLeer & Jensen  
Corona Investigation Agency  
Farmer & Farmer Investigations  
Joseph Cleseri Investigations  
Paul Chance Private Investigations

## DEFENSE PANEL RATES FOR WORKERS' COMPENSATION

PANEL FIRMSCurrent Panel MembersWorkers' Compensation

Serembe Bakke & Seaman\*  
 Adelson, Testan & Brundo  
 Hanna Brophy MacLean, et al

Subrogation

Hensley Smith\*  
 \*Of Counsel via Serembe, et al

PANEL INVESTIGATORSInvestigators

Joseph Clesari Investigations  
 Corona Investigation Agency  
 Ray Farmer Investigations  
 Paul Chance

NEW PANEL MEMBERS

<u>Law Firms</u>	<u>Expiring Rate</u>	<u>Renewal Rate</u>	<u>Rate</u>
Bradford & Barthell			\$140.00
Wilson Pesota & Fox			\$140.00
Law Offices of Ed Samaha	\$125.00	\$140.00	\$140.00
Benthale Nicholas McKibbin	\$125.00	\$125.00	\$140.00
<u>New Panel Investigators</u>			
Am. Employer Defense	\$140.00	\$140.00	\$55.00
Baechler Investigations			\$55.00
R.J.N. Investigation			\$55.00
National Business Investigations			\$55.00