

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

571



**FROM:** Human Resources Department

**SUBMITTAL DATE:**  
August 2, 2005

**SUBJECT:** Outside Defense Attorneys and Investigators for Workers' Compensation

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the fifteen (15) renewal contracts and eight (8) new contracts entitled Agreement for Legal Services (Defense Attorneys) and Agreement for Services (Investigators), effective July 1, 2005, through June 30, 2008;
2. Authorize the chairperson to sign four (4) copies of each agreement; and
3. Retain one (1) copy and return three (3) copies of the executed agreements to Human Resources for distribution.

**BACKGROUND:** Since the inception of the self-insurance program for Workers' Compensation, the County has utilized outside Investigators and Defense Attorneys on our panel (Attachment "A"). The investigation and litigation of workers' compensation claims requires special credentialing and/or training for those who are providing these services.

Departmental Concurrence

FORM APPROVED  
COUNTY COUNSEL

AUG 09 2005

BY: *Reberm*

*[Signature]*

Ronald W. Komers  
Asst. County Executive Officer/Human Resources Dir.

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 3,004,025	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 660,886	Budget Adjustment:	No
	Annual Net County Cost:	\$ 660,886	For Fiscal Year:	2005-06

**SOURCE OF FUNDS:** Workers' Compensation Budget - 1130800000

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

**APPROVE**

*Swa Brandl*

**County Executive Office Signature**

- Policy
- Policy
- Consent
- Consent

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.:

District:

Agenda Number:

3.55

**ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD**

**Background (continued):**

Under the direction of the Human Resources/Workers' Compensation Division, the Defense panel and Investigator panel have assisted the County of Riverside in curbing abuse and defending CalPERS industrial disability retirement issues resulting from the filing of workers' compensation claims. We have taken an aggressive position before the Workers' Compensation Appeals Board and have referred potential fraud cases to the District Attorney's Office and to the Department of Insurance Fraud Bureau.

Existing vendor contracts include those Investigators and Attorneys who have worked well with the Workers' Compensation Division's unique approach to fighting fraud and abuse. New vendors were carefully screened and evaluated to ensure that they possess the required skills, abilities and attitudes required to successfully investigate and litigate workers' compensation claims. We are pleased to present these negotiated contracts with the same rates as last year. Although the County is growing at a rapid rate, our legal defense costs have remained constant for two consecutive years.

County Counsel has approved the contracts as to form, and Risk Management has approved the contracts as to content and standards.

**DEFENSE PANEL RATES FOR WORKERS' COMPENSATION  
HOURLY RATES**

**July 1, 2005 - June 30, 2008**

ATTACHMENT "A"

**PANEL FIRMS**

**NEW PANEL MEMBERS**

<u>Current Panel Members</u>	<u>Expiring Rate</u>	<u>Renewal Rate</u>	<u>Law Firms</u>	<u>Rate</u>
<u>Workers' Compensation</u>			<u>Workers' Compensation</u>	
Adelson, Testan Brundo & Popolaro	\$140.00	\$140.00	Bagby, et al	\$140.00
Bradford & Barthel	\$140.00	\$140.00	Gray & Prouty	\$140.00
Hanna Brophy MacLean, et al	\$140.00	\$140.00	Jeffrey Sellberg	\$140.00
Law Offices of Ed Samaha	\$140.00	\$140.00	Samuelson, et al	\$140.00
Serembe Bakke & Searman	\$140.00	\$140.00	Stockwell, Harris	\$140.00
Wilson Pesota & Fox	\$140.00	\$140.00		

For Subrogation Only

Henslee Smith \$140.00

**PANEL INVESTIGATORS**

<u>Investigators</u>	<u>Rate</u>
American Employer Defense	\$55.00
Baechler Investigations	\$55.00
Corona Investigation Agency	\$53.00
Joseph Clesari Investigations	\$53.00
National Business Investigations	\$55.00
Paul Chance	\$55.00
Ray Farmer Investigations	\$55.00
RJN Investigations	\$55.00
<u>Investigators</u>	
Absolute Investigators	\$55.00
Insight	\$55.00

\*Professional Claim Services (Health Care Organization)

\*Expires June 30, 2006