



INSPECTOR GENERAL REPORT

2008-07-0183

October 29, 2008

INELIGIBLE INSURANCE DEPENDENT

Inspector General staff attorney Todd Shumaker, after an investigation by Special Agent Darrell Boehmer, reports as follows:

This investigation involved an employee of the Indiana Department of Corrections (DOC) who enrolled her boyfriend for coverage on her State-sponsored medical, dental and vision insurance plans during an open enrollment period. This offense occurred at the Westville Correctional Facility in Westville, LaPorte County, Indiana.

The Office of the Inspector General (OIG) is responsible for addressing fraud, waste, abuse and wrongdoing in state agencies. IC 4-2-7-2(b). It is specifically charged to investigate the class D felony offense of Official Misconduct as alleged in IC 35-44-1-2, which offense is defined as a public servant committing an act that is prohibited by law. IC 4-2-7-3(3)(C).

On July 8, 2008, the OIG received a complaint from the State Personnel Department (SPD) alleging that a Michelle Jones, a State of Indiana employee at the DOC Westville Correctional Facility, was obtaining State benefits coverage on an ineligible dependent on her State-sponsored medical, dental and vision

insurance plans. Specifically, SPD records reflected that Jones had enrolled her boyfriend for coverage on her State-sponsored insurance plans and had designated him as her spouse.

Every year, SPD requires that State employees select specific benefits, including medical, dental and visions insurance, in what is known as an open enrollment period. Aside from this open enrollment period, employees are only permitted to change their benefit packages and insurance coverage upon the occurrence of a qualifying event as defined by SPD. An example of a qualifying event would be a person's marriage outside the open enrollment period.

During the open enrollment period, employees also identify dependent children and spouses who will be covered under their insurance plans. Once employees have finished selecting their benefits and have identified the dependents to their plan, they are required to certify the accuracy of the enrollment information before it is submitted to SPD.

It was during the open enrollment period on November 26, 2006 that Jones enrolled her boyfriend as her spouse for coverage on her State-sponsored medical, dental and vision insurance plans.

"Spouse" is defined by SPD as "one's wife or husband." The definition does not include one's boyfriend.

This coverage was effective January 1, 2007, and continued through June 11, 2008, during which time \$8,352.76 in medical benefits, \$184.54 in prescription coverage, and \$90.50 in vision benefits were paid to Jones' boyfriend.

When SPD learned of this fraudulent enrollment, it requested Jones to produce a marriage certificate to confirm her marriage. Jones then delivered to SPD a marriage certificate dated June 12, 2008.

In an interview conducted on July 22, 2008 by OIG Special Agents Darrell Boehmer and Bud Allcron, Jones claimed that she had contacted Anthem Insurance prior to enrolling her boyfriend in her insurance plan, but that Anthem advised her that it did not have a definition for the term "spouse." Jones also stated that although she and her boyfriend had lived together as man and wife for eight years, they were not legally married until June 12, 2008.

These facts were submitted to the Office of the Prosecuting Attorney in Laporte County, and criminal charges of insurance fraud were filed.

Dated this 29th day of October, 2008.

APPROVED BY:



David O. Thomas, Inspector General