



INSPECTOR GENERAL REPORT

2010-03-0052

June 23, 2010

ALLEGED DISABILITY WRONGDOING

Inspector General Staff Attorney Kristi Shute, after an investigation by Special Agent Mike Mischler, reports as follows:

On January 19, 2010, the Office of the Inspector General (“OIG”) was contacted by a citizen seeking assistance regarding his son’s monthly disability payment.

The OIG is authorized to initiate, supervise, and coordinate investigations, and to recommend policies and carry out other activities designed to deter, detect, and eradicate fraud, waste, abuse, mismanagement, and misconduct in state government. IC 4-2-7-3.

Initially it was debated whether there was jurisdiction to proceed, but with the allegation of Indiana Worker’s Compensation benefits being involved, Special Agent Mike Mischler was assigned and an investigation proceeded.

The citizen disclosed that he had been divorced from his wife for several years and that their 17-year-old son lived with him. He explained that his ex-wife obtained \$60,000.00 cash and a disability check as settlement for a disability

claim. He advised that his son should get \$45 per month and that this amount was received each month in 2009. He further stated that his son received Form SSA 10-99, Social Security Benefit Statement, showing that his son earned \$528.75 for the year 2009. The form also indicated that his son acquired \$15,908.10, which the citizen stated was incorrect. The citizen explained that he contacted the Social Security Office regarding the inaccuracy and was told that the money was coming from Worker's Compensation. The citizen was unsure who to contact in that office and contacted the OIG for assistance in determining the nature of the mistake. The OIG completed an initial inquiry to determine whether wrongdoing was involved or whether it was merely a mistake.

Special Agent Mischler contacted the Chairman of the Indiana Worker's Compensation Board who determined that her agency never received notice of an injury and was never made a party to a claim involving the ex-wife. Special Agent Mischler also contacted several federal employees and was put in contact with the U.S. Department of Labor, Office of Worker's Compensation Programs. The contact advised that the ex-wife was not receiving disability from Federal Worker's Compensation. She also explained that if the ex-wife was receiving benefits, her son would not receive anything because the only way a dependent receives benefits would be if a parent died. She had the opinion that the benefits were coming from Social Security.

Special Agent Mischler notified the citizen of these findings and explained that the OIG is authorized to review conduct limited to state agencies.

Since this matter does not involve wrongdoing and falls outside of the Code of Ethics and the OIG's jurisdiction, this case is closed for lack of merit to proceed.

Dated this 23rd day of June, 2010.

A handwritten signature in black ink, appearing to read "David O. Thomas". The signature is written in a cursive style with some loops and flourishes.

David O. Thomas, Inspector General