

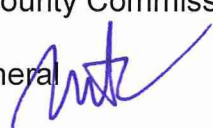


Memorandum



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To: The Honorable Carlos A. Gimenez, Mayor, Miami-Dade County
The Honorable Rebeca Sosa, Chairwoman
and Members, Board of County Commissioners, Miami-Dade County

From: Mary Cagle, Inspector General 

Date: April 11, 2014

Subject: Miami-Dade Fire Rescue Fire Inspector Charged with Filing a False and Fraudulent Insurance Claim, Ref. IG13-53

Attached is a press release detailing today's arrest of Anthony Dorta (Dorta), a Miami-Dade Fire Rescue Department (MDFR) Fire Specialist 1. Dorta, an almost six (6) year employee of the MDFR assigned to conduct fire inspections, was arrested following a joint investigation by the Miami-Dade Office of the Inspector General (OIG); the State of Florida Department of Financial Services, Division of Insurance Fraud; and the Miami-Dade State Attorney's Office.

Dorta was charged with one (1) felony count for falsely reporting that he had no other earnings while receiving workers' compensation benefits for an on-the-job injury. The investigation uncovered that Dorta, while out on light duty due to a knee injury, was actually working for pay as a handyman. In total, Dorta received over \$143,000 in benefits, which included medical, temporary partial indemnity, and administrative expense payments. Miami-Dade County workers' compensation claims are handled by the County's Risk Management section as the County is self-insured; however, reports must still be filed with the Department of Financial Services.

The OIG appreciates the cooperation of Miami-Dade County's Fire Rescue Department during the course of this investigation.

Attachment

cc: Genaro "Chip" Iglesias, Deputy Mayor
David Downey, Fire Chief, Miami-Dade Fire Rescue Department
Alan R. Cominsky, Fire Marshal and Chief of Fire Prevention and Inspection
Cathy Jackson, Director, Audit & Management Services
Charles Anderson, Commission Auditor

APRIL 11, 2014

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MIAMI-DADE FIRE RESCUE FIRE INSPECTOR CHARGED WITH FILING A FALSE AND FRAUDULENT INSURANCE CLAIM

(Miami, Florida) –

Anthony Dorta (Dorta), a Miami-Dade County Fire Rescue Department (MDFR) Fire Specialist 1, commonly referred to as a Fire Inspector, was arrested today as a result of a joint investigation by the Miami-Dade County Office of the Inspector General (OIG); the State of Florida's Department of Financial Services, Division of Insurance Fraud (DFS/DIF); and the Miami-Dade State Attorney's Office (SAO). Dorta, who has been with the County for almost six (6) years, was charged with one (1) count of Filing a False and Fraudulent Insurance Claim, a third degree felony, in violation of Florida Statute § 817.234. The joint investigation revealed that Dorta, while receiving workers' compensation for an on-the-job injury, worked as a handyman and falsely filed a report claiming he had not received other compensation.

Dorta received over \$143,000 in total workers' compensation benefits for an on-the-job injury to his left knee that occurred in January 2011. Dorta was unable to work and collected workers' compensation benefits from January 2011 until October 2013. There was a brief interruption in benefits, from February through October, 2012, when Dorta resumed full-time work. However, due to the same injury, he was again unable to work and resumed collecting workers' compensation benefits until October 2013.

The joint investigation uncovered that Dorta, while unable to perform his duties as a Fire Inspector at MDFR and while receiving workers' compensation benefits, was working as a handyman. Dorta was required to file a monthly report of any income received from "any person, firm or company" while receiving unemployment compensation. Although Miami-Dade County is self-insured and workers' compensation claims are handled by the County's Risk Management section, Dorta's reports were required to be filed with DFS. Dorta's unreported self-employment was discovered by the OIG while investigating a different fraud perpetrated by former MDFR Code Enforcement Officer Jeffrey Lowman. Lowman, who ran his own fire inspection consulting business, submitted fraudulent affidavits of compliance to the County resulting in the removal of accrued penalties owed the County. Lowman was arrested in November 2013, and is currently awaiting trial on multiple felony counts.

While investigating Lowman, the OIG uncovered that Dorta received several checks from Lowman's independent consulting company. The joint investigation found that in addition to his fire inspection consulting business, Lowman also did handyman work as a side business. Dorta was identified as Lowman's handyman assistant. In particular, the OIG investigation found that Dorta completed such jobs as painting houses and repairing interior walls as Lowman's assistant. On one occasion, an MDFR co-worker, while conducting a fire inspection of a business, saw Dorta painting the floor of an adjacent warehouse.

The joint investigation uncovered that Dorta contracted for and performed several handyman repairs at a business for which he was compensated directly. Dorta, during those repair jobs, received workers' compensation benefits and falsely reported to DFS/DIF that he did not receive any other earnings.

"The honesty of all government depends on the individual integrity of our public officials, such as Fire Inspector Anthony Dorta. Mr. Dorta betrayed the public's trust by committing insurance fraud," observed Miami-Dade State Attorney Katherine Fernandez Rundle. "I commend our partners in this investigation, the Miami-Dade County Office of the Inspector General and the State of Florida's Department of Financial Services, Division of Insurance Fraud for their efforts in fighting insurance fraud and working to keep our local government honest."

"We have a continued commitment to working with our local partners investigating dishonest public servants whose behavior erodes the public trust in Miami-Dade County," said Mary Cagle, Inspector General of Miami-Dade County.

The OIG would like to thank the employees of the Miami-Dade Fire Rescue Department for their assistance and cooperation during the course of this investigation.

COMMUNICATIONS

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