



NEWS RELEASE

From New York State Workers' Compensation Fraud Inspector General
Catherine Leahy Scott

FOR IMMEDIATE RELEASE: Nov. 15, 2016
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NORTH COUNTRY MAN FEIGNING DISABILITY CAUGHT POWER LIFTING AT GYM - AND A COUPLE WORKING IN RETAIL HARDWARE - INDICTED FOR WORKERS' COMPENSATION FRAUD IN JEFFERSON COUNTY SWEEP

ALBANY – New York State Inspector General Catherine Leahy Scott today announced that both a Jefferson County man who was caught powerlifting at the gym while claiming to be physically unable to work, and a couple working at an Antwerp hardware store, were indicted and arrested today on felony charges of Workers' Compensation fraud.

Indicted by a Jefferson County Grand Jury and arraigned today were:

- Ronald Durand, 44, of State Route 411, Lafargeville, was charged with Grand Larceny in the Third Degree, Criminal Possession of Stolen Property in the Third Degree, Insurance Fraud in the Third Degree and Offering a False Instrument for Filing in the First Degree, all felonies.
- Marleen Ayen, 64, of Main Street, Antwerp, was charged with Grand Larceny in the Third Degree, Criminal Possession of Stolen Property in the Third Degree, Falsifying Business Records in the First Degree and the Workers' Compensation crime of Fraudulent Practices, all felonies.
- Anthony Hull, who Ayen described as her fiancé and who lives at the same address, was charged with Offering a False Instrument for Filing in the First Degree and the Workers' Compensation crimes of Fraudulent Practices, felonies, and the Workers' Compensation crime of Failure to Secure the Payment of Compensation, a misdemeanor.

An investigation by Inspector General Leahy Scott found that Durand began receiving Workers' Compensation benefits in March 2013 after claiming a back injury while working delivering jugs of drinking water. Since that injury, he repeatedly claimed to medical providers, his employers' insurance carrier and the State Workers' Compensation Board that his disability made him unable to work or do most anything except rest and heal. Repeated surveillance, however, found Durand at the Watertown YMCA within months of his reported injury bench pressing as much as 335 pounds, performing military press ups with 180 pounds of weight and doing lateral pull downs, shoulder shrugs, curls and triceps pushdowns with significant amounts of weight. The investigation determined he received nearly \$3,200 in Workers' Compensation benefits to which he was not entitled.

In a separate investigation as part of a countywide Workers' Compensation fraud initiative, it was found that Ayen had been receiving Workers' Compensation benefits since claiming a work-related injury in 2004. In 2015, she attested to her insurance company that she had not been working in any capacity, but an investigation found she was indeed working at Anthony Hull's hardware store, Robbins Hardware located in Antwerp, and received nearly \$3,200 in benefits to which she was not entitled. Additionally, it was found that Hull had no Workers' Compensation coverage for his employees, and that he claimed he had no employees when he in fact did.

“Each of these defendants chose to defraud the Workers’ Compensation system to gain an inappropriate financial advantage over honest employers and employees across Jefferson County and the State,” said **Inspector General Leahy Scott**. “I will use my position and office to vigorously pursue anyone who abuses the Workers’ Compensation and claims benefits to which they are not entitled.”

Durand, Ayen and Hull were each arraigned on the indicted charges today in Jefferson County Court. All three are due to reappear in court in December and January.

Under State law, employers are required to maintain Workers’ Compensation coverage for their employees, and employees are expected to provide truthful information regarding their work activity to insurance carriers and the Workers’ Compensation Board during the time they are receiving benefits.

Workers’ Compensation fraud impacts all New Yorkers, from increased insurance premiums to increased workloads for coworkers and an overall reduction in workforce productivity.

Inspector General Leahy Scott thanked the State Department of Financial Services and State Insurance Fund for their assistance with the investigations, the State Police for their assistance with the arrests, and Jefferson County District Attorney Kristyna S. Mills and her office for prosecuting this matter.

The defendants are all presumed innocent until and unless proven guilty in a court of law.

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The New York State Office of the Workers’ Compensation Fraud Inspector General investigates fraud, abuse and/or illegal acts against the New York State Workers’ Compensation system, including fraud by medical service providers, employers seeking to evade appropriate Workers’ Compensation charges, and employees who fabricate injuries to fraudulently receive system benefits. Complaints and referrals are kept confidential. We can be reached by calling toll free: 1-800-367-4448, utilizing our online complaint form at <http://www.ig.ny.gov> or sending an email to: inspector.general@ig.ny.gov. You also can write to our office at: Office of the Workers’ Compensation Fraud Inspector General, Empire State Plaza, Agency Building 2, 16th Floor, Albany, New York 12223