



NEWS RELEASE

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

FOR IMMEDIATE RELEASE: Sept. 21, 2017
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STATE AIDE FOR INCARCERATED YOUTH CHARGED WITH WORKERS' COMPENSATION FRAUD; PLAYED IN HOCKEY LEAGUE WHILE CLAIMING DEBILITATING INJURY PREVENTED HIM FROM WORKING

ALBANY – New York State Inspector General Catherine Leahy Scott today announced the arrest of a Central New York aide for a State youth detention center for defrauding the Workers' Compensation system by claiming a debilitating injury kept him from doing his job but was still able to play competitive ice hockey.

Samuel Spina, 45, of Rome, was charged with Grand Larceny in the Third Degree, Insurance Fraud in the Third Degree and three counts of Offering a False Instrument for Filing in the First Degree, all felonies.

An investigation by Inspector General Leahy Scott found Spina, a Youth Division Aide for the New York State Office of Children and Family Service's secure Taberg Residential Center for Girls in Oneida County, reported a debilitating knee injury at work in September 2015, and that the injury prevented him from working. Over the next three months, Spina represented to physicians examining him on three separate occasions that the injury prevented him from returning to work, thereby enabling him to receive Worker's Compensation benefit payments.

Within two weeks of the reported injury, and for the following months, Spina was observed engaging in strenuous activity, including playing ice hockey as a goalie in numerous games for the Tightly Whites, an amateur hockey team in Central New York.

"This defendant is charged with abusing a system meant to protect honest hard-working employees by fraudulently taking extended leave at full pay for a packed hockey schedule and other personal strenuous activities while claiming he was too incapacitated to work," said Inspector General Leahy Scott. "I will continue to use my office to fight fraud against the Workers' Compensation system and to hold accountable any government employee who violates the public trust."

Spina returned to work in January 2016, after receiving nearly four months' worth of Workers' Compensation benefit payments to which he was not entitled. He is accused of stealing more than \$3,000 in improper benefit payments and for repeatedly asserting an inability to work over the period he was collecting the Workers' Compensation benefits.

Spina was arraigned in the Rome City Court and released pending his reappearance in court Nov. 8, 2017.

Inspector General Leahy Scott thanked the New York State Police for the assistance with the arrest, and Oneida County District Attorney Scott D. McNamara and his office for prosecuting this matter.

The defendant is 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