



# NEWS RELEASE

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

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## **STATE AIDE FOR INCARCERATED YOUTH PLEADS GUILTY TO INSURANCE FRAUD AND IS ORDERED TO PAY MORE THAN \$12,000 IN RESTITUTION; PLAYED IN HOCKEY LEAGUE WHILE CLAIMING A DEBILITATING INJURY PREVENTED HIM FROM WORKING**

ALBANY – New York State Inspector General Catherine Leahy Scott today announced the resignation, guilty plea and sentencing of a Central New York aide for a State youth detention center who defrauded the Workers' Compensation system by claiming a debilitating injury kept him from doing his job but was still able to play competitive ice hockey and perform other strenuous activities.

Samuel Spina, 45, of Rome, who previously pleaded guilty to Insurance Fraud in the Fifth Degree, was sentenced to pay \$12,110.88 restitution and serve 100 hours community service. Simultaneous to his guilty plea, Spina submitted a resignation letter to the New York State Office of Children and Family Services ("OCFS"), for whom he was employed.

An investigation by Inspector General Leahy Scott found Spina, a Youth Division Aide for OCFS'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 playing ice hockey as a goalie in numerous games for the Tightly Whities, an amateur hockey team in Central New York. Spina returned to work in January 2016, after receiving nearly four months' worth of Workers' Compensation benefit payments to which he was not entitled.

"This defendant brazenly abused a system meant to protect hard-working New Yorkers by taking extended leave at full pay to play competitive ice hockey and perform other strenuous activities while claiming he was too incapacitated to work," said Inspector General Leahy Scott. "I will use the powers of my office to pursue anyone who defrauds the Workers' Compensation system and violates the public trust."

Spina pleaded guilty in the Rome City Court and was sentenced on December 11, 2017 to pay \$12,110.88 restitution and serve 100 hours community service.

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

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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](mailto: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*