In addition to our presenters, we were very fortunate to have Erie County Executive Joel Giambra, OTDA Deputy Commissioner John Paolucci and NYS Medicaid Inspector General Kimberly O’Connor address our group. Each of these officials is truly dedicated to our organization and to the elimination of welfare fraud across our state and I am honored that each of them took the time and effort to attend our seminar. Their continued support truly shows how much of an impact our organization has.

Lastly, it takes a great deal of effort to put together our annual training conference. I would like to thank the Executive Board members and the Regional Representatives for all of the time and hard work they gave to make this the best seminar ever!

On another training front, the Regional Training Sessions are scheduled for the following dates and locations:

- Thursday September 28, 2006
  Holiday Inn Turf, Albany New York
- Thursday October 12, 2006
  Holiday Inn, Liverpool New York
- Thursday October 26, 2006
  Millennium Hotel- Airport, Buffalo New York
- Wednesday November 15, 2006
  Crowne Plaza, Westchester New York

The agenda is being finalized and, upon completion, will be sent to each staff development coordinator, as well as posted on STARS. I urge each of you to attend the regional training and to encourage your peers to attend as well.

In closing, I hope that you have a safe and enjoyable summer. I look forward to seeing you at the Regional Trainings!
## Arrests From Around the State

### Washington County
Seven women were arrested this week on charges they defrauded the Washington County Department of Social Services by claiming public assistance they weren’t entitled to, police said. Four defendants were charged with felony offenses. The defendants were arraigned in the Fort Edward Village Court and three were sent to the county jail after arraignment. The arrests came after the Department of Social Services determined the women were receiving public assistance under false pretenses, such as not claiming income.

Charged were: *Brittany C. Conlin, 28, of 6 -Simpson Street, Greenwich, who faces a felony charge of offering a false instrument for filing and a misdemeanor count of petit larceny. She was released on her own recognizance. *Deborah S. Brown, 41, of 53 Broadway, Fort Edward, who was charged with felony offering a false instrument for filing, felony fourth-degree grand larceny, felony fourth-degree welfare fraud and misdemeanors of petit larceny and fifth-degree welfare fraud. She was sent to Washington County Jail for lack of $5,000 cash bail or $7,000 bail bond.

### Wyoming County
DSS is now working in collaboration with the local Sheriff’s Department. One deputy has been assigned to work with the DSS Fraud Investigator one day per week, and another deputy has been assigned to help with processing cases. DSS has worked successfully with the Sheriff and the District Attorney offices, resulting in nine welfare fraud cases in the last six months. Together the cases total $61,662.66. The largest fraud case was for $34,147.47, including $25,396.32 in Medicaid fraud. The defendant in that case embezzled monies from her father’s company, altered her husband’s paychecks, failed to report a full-time job, and failed to report unemployment benefits.

### Genesee County
John Scott has been named as a new fraud investigator. Before coming to the Fraud unit, John was with the Services unit and has also been a Medicaid/Food Stamp worker.

### Orleans County
With the combined efforts of the Albion Police Drug Task Force and the Orleans County Welfare Fraud Unit, a two and a half year investigation finally led to the arrest of Howard Myers, age 64 of Wilson, NY (Niagara County). Myers was arrested and charged with receiving more than $50,000.00 in food stamp benefits. Myers was running “Myers Fish,” selling fish door-to-door for years. A hotline call was received by Orleans County and it soon became apparent that Mr. Myers was selling more than fish. Numerous drug users claimed he sold them cash to feed their habits. Orleans County discovered that the Myers Fish business stretched over a seven county area and, using the SFAR’s program, officials could monitor Myers’s transactions which eventually led to his arrest. Myers confessed to the crime and, although he did have some legitimate food sales, he is cooperating with the disclosure of some of the people with whom he provided cash. The IRS seized the $23,000.00 bank account used for the food stamp transactions. With Myers’s sentence includes a jail term, five years of probation and $50,000 in restitution.

### Jefferson County
A former Watertown woman with several aliases stole more that $38,000 in public assistance benefits. The defendant is also being investigated in Tennessee as a possible bigamist.

Dawn M. Frostad, 32, is being held without bail in Montgomery County, TN, as a fugitive from justice in New York and on two felony charges filed in that county. Tennessee authorities are investigating the possibility that she is married to three different men and has been using eight different names.

Four of those names, Mrs. Lee Frostad, Mrs. Shelby Taylor, Mrs. Terry Moore and Mrs. Thomas Shepard, are contained in Jefferson County DSS files, said fraud investigator Stephen J. Eisenhauer. DSS obtained warrants charging her with four felonies: Offering a False Instrument for Filing 1st Degree, Grand Larceny 3rd Degree, Welfare Fraud 3rd Degree and Misuse of Food Stamps.

The defendant is accused of obtaining public assistance while failing to list income under her legally changed name of Riva Sanizzly, failing to report child support received from her first husband, failing to report multiple marriages and failing to report multiple identities. The total fraud is alleged to be $38,555.36, including $14,531 in food stamps.

The defendant has a prior arrest from 1992, when she was charged with third-degree falsely reporting an incident for allegedly telling police she had been abducted and raped by a Fort Drum soldier. The defendant received a Youthful Offender disposition and the case was sealed.

### Chemung County
Susan C. Morris, age 42, was arrested and charged with Welfare Fraud 3rd Degree, Misuse of Food Stamps, and three counts of Offering a False Instrument for Filing 1st Degree. Morris is charged with lying about her household composition during the period of October 2003 – June.
2005. Based on her lies, the defendant improperly received $10,583.15 in public assistance and $4,727.00 in food stamps, totaling $15,310.15. Morris was arraigned in Elmira City Court and sent to the Chemung County Jail without bail.

**Onondaga County**

Four people accused of scamming the Medicaid program were arrested in a sweep designed to draw attention to penalties for Medicaid fraud. It is part of a new Onondaga County effort to prosecute Medicaid recipients accused of lying or omitting important information on their applications for assistance, said Zach Karmen, Chief Welfare Attorney for the county DSS.

All four were charged with felony welfare fraud, accused of accepting as much as $15,000 in assistance they didn’t qualify for, said Mark Wierzbiki, coordinator of investigations for the fraud investigation unit, which developed the cases against them. A warrant was issued for a fifth person accused of fraud because she no longer lived at her last known address.

Judy M. Gallup, 43, of 164 Seeley Ave., Syracuse, is accused of taking $15,056.78 in assistance by failing to report that she was receiving Social Security benefits for her two children. Fawn M. DiDomenico-Bigness, 29, of 23 County Rte. 11, Central Square is accused of taking $5,943.38 in Medicaid benefits by failing to report that she was living out of state for several months and had an employed husband living with her. Jairaj B. Patel, 32, and Sitiben Patel, 25, of 211 Lafayette Rd, Syracuse were accused of stealing $11,570.16 in Medicaid benefits because they failed to report that they are employed.

**Greene County**

Tarun and Alpana Bhatia, of Greenville, were arrested and charged with stealing almost $9,000 in Medicaid benefits by lying about their income and assets. The Bhatias claimed that they were employed by the Greenville Mobil service station and only earned $400/week. DSS investigators found that the Bhatias actually owned the Greenville Mobil station and the income verification letters they submitted were written by Tarun. Investigators also found that the Bhatias had deposited almost $55,000 into their personal bank account from April 2004 – April 2005.

The Bhatias were arrested and arraigned in the Catskill Village Court. They are being prosecuted by the Welfare Inspector General’s office.

**Legal Briefs**

*By Andrew Weiss, Esq., NYWFIA Second Vice President*

Lately, when one hears about welfare fraud, the conversation ultimately turns to what to do about Medicaid fraud. Local politicians complain that Medicaid is raising property taxes and bankrupting county government. The State Legislature has been debating various ideas for what seems like an eternity. Now, the State Legislature has acted.

This session, the Senate and Assembly enacted bill S-8450 which created the Office of the Medicaid Inspector General and also added to the Penal Law a new group of crimes known as Health Care Fraud.

Bill S-8450 codifies the powers and duties of the Medicaid Inspector General’s Office, which has been in existence since last year by way of an executive order. The Office is empowered to conduct and supervise Medicaid fraud investigations and coordinate anti-fraud efforts with other state and local agencies. When Medicaid fraud is found, the Medicaid IG has the power to pursue civil and administrative remedies such as bringing lawsuits, imposing sanctions, banning providers from the Medicaid program, and making a referral to the corrupt provider’s licensing agency. The Office also will refer criminal findings to appropriate law enforcement agencies.

In addition to creating this new office, the Legislature also added Article 177 to the Penal Law, creating several crimes of Health Care Fraud. These new crimes mirror the Welfare Fraud and Larceny statutes in that they are intent crimes (one must have the requisite mental state to commit the crime) and the degrees of the crimes are graded according to dollar thresholds. And, just like Welfare Fraud, a person is guilty of Health Care Fraud when he or she either provides false information or omits material information that causes benefits (in this case, a Medicaid claim) to be wrongfully paid. Notably, unlike Welfare Fraud and Larceny, Health Care Fraud only applies to Medicaid providers; recipients are specifically exempted from the definition of a “person” who can commit the crime.

From a county fraud investigator’s perspective, things have not changed much, at least not yet. You are still responsible for investigating recipients who defraud all public assistance programs, Medicaid included, and any criminal activity found should be referred to your local law enforcement agencies. But, the Medicaid Inspector General’s office is a new tool and resource that is available for any questions that you may have relating to Medicaid fraud.

**Membership News**

Steve Maloney- HRA/BFI-
  Congratulations on his promotion to Deputy Assistant Director

Lisa Morris-Chandler-HRA/BFI
  – Congratulations on her promotion to Deputy Assistant Director

Mike Patino-HRA/BFI- Mike has been battling an illness lately. Mike has been involved with NYWFIA for many years and is a good friend to all. If you would like to send Mike a card to wish him well you may send it addressed to him, 8735 Bay Parkway #A45, Brooklyn, NY 11214. Get well soon Mike!

Steven Schabot- (past president)
  Congratulations on his retirement of over 25 years of service to Ulster County as the Director of Resource and Recovery.
# New York Welfare Fraud Investigators Association

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