

Workers' Comp Insurance Expert Advice

Workers' Compensation Investigators Are on the Prowl – Is Your Practice Next?



By Tom Murphy

Recently, we have received frantic phone calls from several of our clients that were caught off guard by unscheduled, random visits from Compliance Investigators with Florida's Bureau of Compliance. This is clearly a sign of their

determination to enforce the Workers' Compensation laws and hold employers accountable, and with an increase in the number of inspectors, it's not a matter of if you'll be visited, but when.

According to the Florida State Statutes, if you are an employer in the state of Florida you are required to have Workers' Compensation coverage if you are in an industry other than construction and have four (4) or more employees, full-time or part-time (an exempted corporate officer does not count as an employee).

If you are inspected and cannot show proof of Workers' Comp coverage, you will be assessed a penalty equal to 1.5 times the amount you should have paid in premium within the preceding three-year period. The fine is usually required to be paid within 90 days and some

payment plans are available, in addition to a Stop-Work Order, ceasing all business operations, effective immediately.

Some violations being sought out include understated or concealed payroll, misrepresented or concealed employee duties, or other attempts to avoid paying workers' compensation premiums. These actions could also result in criminal charges and penalties, as well as the initiation of lien proceedings to collect any penalty due that has not been paid, and unpaid penalties may be referred to a collection agency.

This is an issue that you should take very seriously. The Compliance Investigators do. If you do not have adequate coverage, in most cases we can secure coverage for you through OptaComp, (rated A.M. Best "A" rated company) within 24 hours. We even have access to programs that could return a potential dividend of up to 24.8% on your premium.

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