

California Department of Insurance

Fraud Division

March 2020 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
2400 Del Paso Road, Suite 250
Sacramento, CA 95834

A determination to make any changes will be made within sixty (60) days of receipt of the information.

March 2020 Workers' Compensation Fraud Convictions

CDI Case Number: 17BW004172

Court Case Number: 05-192373-9

County: Contra Costa

Defendant: Francisco Javier Gutierrez

City/County of Residence: San Pablo / Contra Costa

Conviction Date: 3/11/2020

Offense: 1 Count PC 550(b)(3) (False or Fraudulent Claim or Statement)

Amount Allegedly Defrauded: \$18,592

Sentence: 100 Hours Community Service, 3 Years Probation, \$18,592 Restitution, \$220 Criminal Fine

CDI Case Number: 19AW005974

Court Case Number: P19CRF0345

County: El Dorado

Defendant: Della Hernandez

City/County of Residence: Pollock Pines / El Dorado

Conviction Date: 3/10/2020

Offense: 1 Count IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

Amount Allegedly Defrauded: \$1,412

Sentence: 30 Days County Jail, 36 Months Probation, \$1,412 Restitution, \$220 Criminal Fine

CDI Case Number: 16JW020819

Court Case Number: BA456426

County: Van Nuys / Los Angeles

Defendant: Jose Morales

City/County of Residence: Van Nuys

Conviction Date: 3/09/2020 Plea entered 07/10/2018, sentencing occurred 03/09/2020

Offense: 1 Count IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

Amount Allegedly Defrauded: \$22,048

Sentence: 100 Hours Community Service, 2 Years Summary Probation, \$370 Criminal Fine