

California Department of Insurance

Fraud Division

October 2016 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
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

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

October 2016 Workers' Compensation Fraud Convictions

Court Case Number: BA445591

County: Los Angeles

Defendant: Henry Barajas

City/County of Residence: Fontana/San Bernardino

Conviction Date: 10/12/16

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

Amount Allegedly Defrauded: \$4,058.57

Sentence: 3 Days County Jail, 200 Hours Community Service, 3 Years Formal Probation, \$4,058.87 Restitution, \$400 Civil Fine, Pay Costs of Probation Services In An Amount Probation Officer Shall Prescribe

Court Number: 15F06924

County: Sacramento

Defendant: Shanita Nicole Burluson

City/County of Residence: Fairfield/Solano

Conviction Date: 10/26/16

Offense: 1 Count of PC 550(b)(1) (Knowingly Present Fraudulent Insurance Claim) (Misdemeanor)

Amount Allegedly Defrauded: \$5,000

Sentence: 10 Days County Jail Converted to 54 Hours Community Service, 3 Years Informal Probation, \$5,000 Restitution to Kaiser, \$100 Criminal Fine

Court Case Number: BA441131

CDI Case Name: Dead Mans Hand

County: Los Angeles

Defendant: Ramon Humberto Otero

City/County of Residence: Adelanto/San Bernardino

Conviction Date: 10/11/16

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation); 4 Counts of PC 487(a) (Grand Theft) (Misdemeanor); 1 Count of PC 550(a)(5) (Knowingly Prepare, Make, or Subscribe any Writing, with the Intent to Present or Use It, or to Allow It to be Presented, in Support of any False or Fraudulent Claim) (Misdemeanor); 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$4,500

Sentence: 180 Days County Jail (May Be Served By 180 Days In-House Arrest), 45 Days Community Service, 3 Years Formal Probation, \$4,500 Restitution (Paid-In-Full), \$300 Civil Fine