

# Reporting Suspected Welfare Fraud

(Reviewed 03/27/20)

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## Forms

This file references the following form:

- 04-220 Report of Suspected Welfare Fraud (CWS/CMS Template)

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## Requirement to report suspected fraud

State regulations require that all County of San Diego employees report cases where they have reason to suspect welfare fraud.

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## Policy

All Child Welfare Services (CWS) employees will **immediately** report suspected welfare fraud to the Bureau of Public Assistance Investigation Fraud Hotline.

“Immediately” means the same day the employee learns of the suspected welfare fraud or by 10 a.m. the following work day if the information is received too late to report the same day.

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## Confidentiality

Information required for the suspected welfare fraud report may be provided to the Fraud Hotline without violating the confidentiality of the case record, since the information is being provided in the administration of public social services.

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## Liability

Employees who report suspected welfare fraud are not criminally or civilly liable for making the report.

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## Definition of fraud

State regulations define fraud as existing when a person, on behalf of himself or others, has:

- Knowingly and with intent to deceive or defraud, made a false statement or representation to obtain benefits, obtain a continuance or increase of benefits, or avoid a reduction of aid benefits.
  - Knowingly and with intent to defraud, failed to disclose a fact which, if disclosed, could have resulted in denial, reduction or discontinuance of benefits.
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**Definition of Fraud (cont.)**

- Knowingly and with intent to deceive or defraud, accepted benefits to which they are not entitled, or accepted any amount of benefits knowing it is greater than the amount to which they were entitled.
  - Made statements which they did not know to be true for the purpose of obtaining benefits or continuing to obtain benefits, or avoiding a reduction or denial of benefits. (These are situations where the person does not know whether a statement related to the eligibility is true or not, but presents it as true, such as the amount of personal property.)
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**Indicators of fraud**

In order to identify possible fraud, CWS staff should be aware of some of the basic CalWORKs Reunification Cases eligibility criteria and indicators of possible fraud:

Criteria	Indicators of Possible Fraud
Deprivation of parental care or support because of death, absence, incapacity or unemployment of parent(s).	<ul style="list-style-type: none"><li>• Situation seems inconsistent with deprivation criteria; e.g., both parents in the home and no indication of physical or mental incapacity, principal wage earner seems to be earning sufficient funds to support the family, but expenses exceed income.</li><li>• Documentation presented appears altered or counterfeit; e.g., birth certificate, marriage certificate, medical excuse.</li></ul>
Personal/real property limit of \$2000 (excludes household effects, clothing and the home in which the family lives). Recipient over 60 can have \$3000. Some restricted accounts for certain reasons are exempt.	Personal/real property appears to exceed the \$2000 limit.

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**Indicators of fraud  
(cont.)**

<p>Child must be in the home of the parent/relative receiving CalWORKs for the child.</p>	<p>Child is not residing in the home. An exception is an AB429 CalWORKs Family Reunification case where the parent could receive one to two months of aid to increase the chance of reunification and to decrease the barrier of reapplying/having no funds. The parent would be working with the SW to reunify.</p> <p><b>NOTE:</b> If the child is removed from the home and there is an AFDC-FC payment established, the AFDC-FC Human Services Specialist (HSS) shall notify the CalWORKs HSS of the removal. If this is an AB429 CalWORKs Family Reunification case, the SW will also need to be in contact with the HSS and the Employment Social Worker. If there is no AFDC-FC payment established, the CWS SW should notify the CalWORKs HSS of the child's removal from the home.</p>
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**How to report  
suspected welfare  
fraud**

**FAX reports (858-650-5294)**

- CWS staff are to FAX 04-220 "Report of Suspected Welfare Fraud" to the Fraud Hotline.
- FAX reports may be sent any time of day or evening. If the report is received after 5:00 p.m., Monday through Friday, or on weekends, Fraud Hotline staff will process the report the next working day.

**Telephone reports (800-421-2252)**

- **If a FAX report cannot be sent**, CWS staff will immediately make a telephone report to the Fraud Hotline and follow up by sending the completed 04-220 by interoffice mail to mail stop C77.
- When a telephone report is made, the 04-220 should be used as a guide to provide information required by the Fraud Hotline staff.

Telephone reports may be made between the hours of 8 a.m. and 5 p.m. Monday through Friday.

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**Documentation**

A copy of the 04-220 will be filed in the service case under the "Law Enforcement" tab.

Staff other than the SW assigned to the case who report suspected fraud shall forward a copy of the completed 04-220 to the assigned SW the same day the report is made.

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**Alignment with SET**

This policy supports SET [Value 4](#) as the agency practices to maintain open communication and transparency, and cultivate ongoing relationships with community partners.

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