

**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
STATEMENT OF REVENUES,  
EXPENDITURES, AND CHANGES IN GRANT BALANCE**

**For the Fiscal Year Ended June 30, 2023**

**COUNTY OF SAN DIEGO**  
**WORKERS' COMPENSATION INSURANCE FRAUD GRANT**

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# MOSS, LEVY & HARTZHEIM LLP

CERTIFIED PUBLIC ACCOUNTANTS

## **PARTNERS**

CRAIG A HARTZHEIM, CPA  
HADLEY Y HUI, CPA  
ALEXANDER C HOM, CPA  
ADAM V GUISE, CPA  
TRAVIS J HOLE, CPA  
WILSON LAM, CPA

## **COMMERCIAL ACCOUNTING & TAX SERVICES**

8383 WILSHIRE BLVD., SUITE 800  
BEVERLY HILLS, CA 90211  
TEL: 310.670.2745  
FAX: 310.670.1689  
www.mlhcpas.com

## **GOVERNMENTAL AUDIT SERVICES**

5800 HANNUM AVE., SUITE E  
CULVER CITY, CA 90230  
TEL: 310.670.2745  
FAX: 310.670.1689  
www.mlhcpas.com

## **INDEPENDENT AUDITOR'S REPORT**

Board of Supervisors  
County of San Diego  
San Diego, California

### **Opinions**

We have audited the accompanying Statement of Revenues, Expenditures, and Changes in Grant Balance (Statement) of the Workers' Compensation Insurance Fraud Grant (Grant) of the County of San Diego (County) for the fiscal year ended June 30, 2023, and the related notes to the statement, as listed in the table of contents.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the Revenues, Expenditures, and Changes in Grant Balance of the County of San Diego Workers' Compensation Insurance Fraud Grant in accordance with the requirements of the State of California Department of Insurance for the Workers' Compensation Insurance Fraud Grant Program for the fiscal year ended June 30, 2023, in accordance with accounting principles generally accepted in the United States of America.

### **Basis for Opinions**

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States, and in accordance with the State of California's Department of Insurance for the Workers' Compensation Insurance Fraud Grant. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the County, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### **Emphasis of Matter**

As discussed in Note 1, the Statement of Revenues, Expenditures, and Changes in Grant Balance was prepared for the purpose of complying with the audit requirements of the State of California's Insurance Code, and does not purport to, and is not intended to be a complete presentation of the County's financial position as of June 30, 2023, the changes in its financial position, or, where applicable, its cash flows for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

## **Responsibilities of Management for the Financial Statements**

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the statement that is free from material misstatement, whether due to fraud or error.

## **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statement, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statement.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

## **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated October 24, 2023, on our consideration of the County's internal control over financial reporting with respect to the Grant and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of

an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

**Report on Comparative Information**

We have previously audited the Statement of Revenues, Expenditures, and Changes in Grant Balance of the Workers' Compensation Insurance Fraud Grant of the County of San Diego, and our report dated October 21, 2022, expressed an unmodified opinion on the audited financial statement. In our opinion, the comparative information presented herein for the fiscal year ended June 30, 2022, is consistent, in all material respects, with the audited financial statements from which it has been derived.



Moss, Levy & Hartzheim, LLP  
Culver City, CA  
October 24, 2023

**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN GRANT BALANCE  
FOR THE FISCAL YEAR ENDED JUNE 30, 2023  
With Comparative Totals for the Fiscal Year Ended June 30, 2022**

	2023	2022
<b>Revenues:</b>		
California Department of Insurance funding	\$ 7,109,587	\$ 6,592,634
Interest revenue	86,790	23,337
Salvage vehicle proceeds	-	3,200
<b>Total Revenues</b>	<b>7,196,377</b>	<b>6,619,171</b>
<b>Expenditures:</b>		
Salaries and Benefits:		
Staff salaries	3,526,245	3,328,175
Staff benefits	2,064,772	2,111,360
Staff overtime	69,501	80,745
State bar membership	4,121	3,681
Total Salaries and Benefits	5,664,639	5,523,961
Operating Expenditures:		
Audit fees	6,105	6,049
Books and publications	-	8,574
Bus pass and local mileage	9,005	5,431
Communications	14,054	12,732
Equipment maintenance	-	-
Facilities management	122,918	108,197
Investigative Services	-	-
Membership fees	4,652	1,886
Minor equipment	-	-
Minor office equipment	-	24,632
Miscellaneous	52	188
Office supplies and expenses	9,594	13,346
Parking	54,949	55,687
POST travel peace officer	-	-
Postage and printing	184	144
Professional services	-	-
Public liability insurance	6,730	9,259
Publication and legal notice	250,221	337,482
Software	4,583	2,233
Special department expense	5,616	1,804
Training and registration	17,300	3,670
Trash service	983	2,106
Travel	33,002	22,411
Utilities	41,123	27,937
Vehicles	-	-
Vehicle lease	-	14,751
Vehicle maintenance and fuel	23,870	38,515
Witness expense	4,479	45
Total Operating Expenditures	609,420	697,079
Indirect costs - Note 1	352,625	332,818
<b>Total Expenditures</b>	<b>6,626,684</b>	<b>6,553,858</b>
<b>Excess of Revenues over (under) Expenditures</b>	569,693	65,313
Grant Balance, beginning of fiscal year	512,634	447,321
Grant Balance, end of fiscal year - Note 2	\$ 1,082,327	\$ 512,634

The accompanying notes are an integral part of this statement

**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
NOTES TO THE STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN GRANT BALANCE  
For the Fiscal Year Ended June 30, 2023**

**Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**General**

The Workers' Compensation Insurance Fraud Grant is administered by the San Diego County District Attorney's Office, the designated workers' compensation insurance fraud prosecutor. Grant funds are received to pay for the costs of investigation and prosecution of workers' compensation fraud within the program area. The program is regulated by *Section 1872.83* of the Insurance Code, the guidelines in the Request for Application, Program Regulations, and the County Plan.

**Basis of Presentation**

Grant financial transactions are specifically identified by organizational accounting units within Oracle Financial Software System, which are summarized on computerized worksheets. The San Diego County District Attorney's Office receives funds from the State of California Department of Insurance, which are deposited into the District Attorney's Insurance Fraud trust account with the County of San Diego Treasurer. All interest earned on funds held in the trust account are required to be used for grant purposes. Expenditures are reimbursed by transferring funds from the trust account to a revenue account. This is done periodically by journal entries, which are prepared by the District Attorney's Office. The journal entries are based on expenditure information reported in a separate budget account.

**Basis of Accounting**

Funds received under the grant program have been recorded within the special revenue funds of the County. The County utilizes the modified accrual basis of accounting. The accompanying Statement of Revenues, Expenditures, and Changes in Grant Balance has been prepared accordingly.

Revenues shown on the statement for the fiscal year ending June 30, 2023 have been received from the State Department of Insurance. Only \$2,260,093 was received during the fiscal year and the remaining balance of \$4,849,494 was received after the grant period. California Department of Insurance requires that grant revenue be included on an accrual basis. Expenditures are generally recognized when the related fund liability is incurred.

**Statement Presentation**

The statement presents only the financial activities of the County's Grant and is not intended to present fairly the financial position or changes in financial position of the County in accordance with accounting principles generally accepted in the United States of America.

**Estimates**

The preparation of financial statement in conformity with accounting principles generally accepted in the United States of America requires management to make assumptions that affect the reported amount of revenues and expenditures/expenses during the reporting period. Actual results could differ from those reported.

**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
NOTES TO THE STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN GRANT BALANCE  
For the Fiscal Year Ended June 30, 2023**

**Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**Salary and Benefit Expenditures**

All District Attorney personnel funded by the Grant are compensated under Memorandum of Understanding Agreements with the County, and receive the standard benefit plans available to non-grant funded personnel. The following table illustrates the staff classifications and the standard benefits plan for the personnel classifications assigned to the Grant:

Classification	Total number employed during the fiscal year but not necessarily concurrently	Full/Part Time	Standard County Benefits Plan
D.A. Investigator II	2.00	Full Time	District Attorney Investigator
D.A. Investigator III	4.00	Full Time	District Attorney Investigator
D.A. Investigator IV	0.50	Full Time	District Attorney Investigator
D.A. Investigator V	0.30	Full Time	District Attorney Investigator
D.A. Investigator (120-Day Term Retiree)	0.50	Part Time	District Attorney Investigator
Deputy District Attorney III	2.50	Full Time	District Attorney
Deputy District Attorney IV	2.80	Full Time	District Attorney
Deputy District Attorney V	2.00	Full Time	District Attorney
Deputy District Attorney (120-Day Term Retiree)	0.50	Part Time	District Attorney
Legal Support Supervisor II	1.00	Full Time	Non-Management
Paralegal Supervisor	1.00	Full Time	Non-Management
Paralegal I	0.15	Full Time	Non-Management
Paralegal II	5.50	Full Time	Non-Management
Criminal Legal Secretary I	0.25	Full Time	Non-Management
Criminal Legal Secretary II	2.50	Full Time	Non-Management
Criminal Legal Secretary III	1.00	Full Time	Non-Management
I.T. Analyst - 120-day term retiree	0.10	Full Time	Non-Management
Temporary Expert Professional	1.00	Full Time	*
Student Worker - Undergraduate	0.80	Part Time	*

\* The classifications Temporary Expert Professional and Student Worker - Undergraduate are not represented by any bargaining units and employees under this classification do not receive benefits.



**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
NOTES TO THE STATEMENT OF REVENUES, EXPENDITURES,  
AND CHANGES IN GRANT BALANCE  
For the Fiscal Year Ended June 30, 2023**

**Note 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

**Indirect Expenditures**

The Grant provides for indirect costs as follows:

	2023	2022
Staff Salaries	\$ 3,526,245	\$ 3,328,175
Rate	10.00%	10.00%
Indirect Costs	\$ 352,625	\$ 332,818

**Note 2 – RESERVED GRANT BALANCE**

The District Attorney requested from the State of California Department of Insurance to reserve Workers' Compensation Insurance Fraud Grant funds in the amount of \$1,082,327 for the fiscal year ending June 30, 2023. At the end of the fiscal year, \$1,082,327 was available to reserve.

**Note 3 – EQUIPMENT AND VEHICLE PURCHASES**

Based on the approval granted by the State of California Department of Insurance, the District Attorney is allowed to use and purchase equipment and vehicles. No equipment or vehicles were purchased by the grant during the fiscal year ending June 30, 2023.

**Note 4 – COMPARATIVE DATA**

Comparative total data for the prior fiscal year has been presented in the accompanying statement in order to provide an understanding of changes in the Workers' Compensation Insurance Fraud Grant's operations.



MOSS, LEVY & HARTZHEIM LLP

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CULVER CITY, CA 90230  
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FAX: 310.670.1689  
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**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS  
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

Board of Supervisors  
County of San Diego  
San Diego, California

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the accompanying Statement of Revenues, Expenditures, and Changes in Grant Balance of the Worker's Compensation Insurance Fraud Grant (Grant) of the County of San Diego (County) as of and for the fiscal year ended June 30, 2023, and the related notes to the Statement of Revenues, Expenditures, and Changes in Grant Balance, and have issued our report thereon dated October 24, 2023.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statement, we considered the County's internal control over financial reporting (internal control) with respect to the Grant as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statement, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control with respect to the Grant. Accordingly, we do not express an opinion on the effectiveness of the County's internal control with respect to the Grant.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statement will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses and significant deficiencies may exist that have not been identified.

### Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Statement of Revenues, Expenditures, and Changes in Grant Balance is free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Such provisions include those provisions identified in the *California Insurance Code Section 1872.8*, the guidelines in the *Request for Application*, Program Regulations, and the *County Plan*. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed one instance of noncompliance or other matters that are required to be reported under *Government Auditing Standards* and which is described in the accompanying schedule of findings as item 2023-01.

### Response to Finding

*Government Auditing Standards* requires the auditor to perform limited procedures on the County's response to the finding identified in our audit and described in the accompanying schedule of findings. County's response was not subject to the other audit procedures applied in the audit of the grant and, accordingly, we express no opinion on the response.

### Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the program's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the program's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Moss, Levy & Hartzheim*

Moss, Levy & Hartzheim, LLP  
Culver City, California  
October 24, 2023

**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
SCHEDULE OF FINDINGS  
For the Fiscal Year Ended June 30, 2023**

**CURRENT YEAR FINDINGS**

**Compliance**

2023-01 Finding – Compliance with California Department of Insurance Allowable Expenditures:

During the fiscal year, the California Department of Insurance conducted an audit of the District Attorneys' Office Insurance Fraud Grants. Preliminary findings include the following:

- Finding #1: The County incorrectly included the amortization/interest payments of the pension obligation bonds issued by the County as part of the pension expenditures charged to the grant program.
- Finding #2: The County included vehicle replacement charges to the grant.

Cause:

Finding #1: The POB costs were not addressed in the CDI RFA, grant regulations, or applicable statutes as either an allowable or unallowable cost so the District Attorney's Office made its own determination to charge POB expenditures as an employee benefit. POBs are allowable grant expenditures under generally accepted grant guidelines issued by the Federal Office of Management and Budget. In the absence of explicit articulation of CDI on the eligibility of this expense, the District Attorney billed these expenses under what has historically been deemed to be generally accepted expenses. This expense has been determined by CDI not to be a liability.

Finding #2: The District Attorney's Office reported this expense as an "Operating Expense" on their budget, which does not require CDI's approval, instead of an "Equipment" Vehicle purchase, which specifically requires approval. The final disposition of this expense has not yet been determined by the Local Assistance Unit of CDI.

Effect:

Unallowable expenditures may have been charged to the grant.

Recommendation:

We recommend that the District Attorneys' Office review compliance requirements and re-examine disallowed expenditures with the California Department of Insurance.

Management's Response:

District Attorney's Office disagrees with the preliminary findings and is composing a response due to CDI on November 6th, 2023.

**COUNTY OF SAN DIEGO  
WORKERS' COMPENSATION INSURANCE FRAUD GRANT  
SCHEDULE OF PRIOR YEAR FINDINGS  
For the Fiscal Year Ended June 30, 2023**

No findings noted