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Efforts to Target Workers' Compensation Fraud Lead to Another Arrest

(Santa Ana, CA) — An ongoing effort by the County of Orange to target suspected instances of workers' compensation fraud resulted in the arrest last week of a sheriff's deputy charged with defrauding the County of more than \$35,000 in unearned benefits.

Nicholas Zappas, 36, of Laguna Niguel, was charged with 18 felony counts of knowingly failing to disclose his true physical abilities to workers' compensation medical providers and lying under oath. If convicted, he faces a maximum sentence of 16 years in state prison.

The County began a workers' compensation investigation in May 2015 after other County employees reported Zappas' off-work activities and that he was posting photos of those activities online.

The charges allege that Zappas was employed by the Sheriff's Department's harbor patrol division on April 2, 2015, when he claimed injury to his neck and back while working on a fireboat. He was assigned to modified duties after contending that the injury made it difficult for him to lift the heavy equipment required for the harbor assignment. However, at the same time, Zappas is alleged to have been observed lifting heavy barbells at a gym and instructing CrossFit classes as well as surfing, skiing and moving furniture.

"Our employees are conscientious and work hard every day," County Executive Officer Frank Kim said. "We won't tolerate an employee who acts in a manner that disrespects his or her fellow workers."

"Workers' compensation fraud harms businesses across the state," [Board Chairwoman Lisa Bartlett](#), Fifth District, said. "We will vigorously investigate and defend the County against any type of theft of public funds."

The County of Orange diligently investigates suspected workers' compensation fraud. Last week's arrest is the fourth of a County employee alleged to have falsely claimed on-the-job injuries in the past two years. Two of those arrested were convicted and paid a total of \$53,733 in restitution; the third is awaiting trial.

Workers' compensation fraud drains public treasuries by contributing to the high cost of insurance and self-insurance. It harms employees by undermining the perception of those legitimately claiming on-the-job injuries to receive the benefits to which they're entitled. The California Department of Insurance estimates that workers' compensation fraud costs the state between \$1 billion to \$3 billion each year.

The County is seeking more than \$38,000 in restitution for unnecessary medical treatment and investigative costs. The County also is requesting restitution for overtime paid to other deputies to cover Zappas' duty shifts while he was being accommodated with work restrictions, and will seek to recover the costs of his administrative leave pay while the criminal case is adjudicated.

The case is being prosecuted by the District Attorney's Office's Insurance Fraud unit.

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