

THE SLIP & FALL SCAM, WHERE WILL IT END.....OR WILL IT?

Questionable slip-and-fall claims on rise nationally Insurance claims tied to suspicious slip-and-fall incidents are on the rise across the United States, and the poor economy may be motivating some people to stage intentional tumbles in the hopes of cashing in, according to industry data and experts.

Ohio saw a decrease in questionable claims linked to slips and falls last year, according to a recent study, but the Miami Valley continues to produce some questionable claims, and many local businesses are sued each year after patrons take a tumble.

Slip-and-fall claims can lead to higher insurance premiums and expensive litigation or payouts. Phony falls can affect consumers because businesses often raise prices to cover costs associated with claims.

"Many people have legitimate accidents in stores and businesses, but there is a growing number of cases that have some indicators of potential fraud," said Mary Bonelli, a spokeswoman for the Ohio Insurance Institute.

Property owners may be held legally responsible if they were negligent and failed to remove hazards that led a visitor or employee to slip or trip and fall and become injured as a result.

Slips and falls are one of the leading causes of injury to customers and employees, and liability awards for customers who are injured can be tens of thousands of dollars or more, according to insurers.

The majority of slip-and-fall insurance claims arise from legitimate accidents, but some falls are staged by unscrupulous individuals who target businesses and their insurance companies in the hopes of earning sizable paydays, said Frank Scafidi, spokesman with the National Insurance Crime Bureau.

Some people pour liquids or small objects on the floors of businesses and then intentionally slip on the spills.

The scammers often then shake down business owners for cash by threatening to sue them, or they file a lawsuit that seeks compensation, officials said. Nationwide, about 2,168 insurance claims last year were submitted to the National Insurance Crime Bureau for referral because they were questionable, according to the organization. This was up 12 percent from 1,944 questionable claims in 2010.

Ohio bucked the national trend, and questionable slip-and-fall claims originating out of the state fell by 12 percent to 48 in 2011, according to the institute.

Still, seven questionable claims were submitted to the bureau from the Miami Valley in the last two years. The Ohio Department of Insurance also receives "a fair amount" of complaints about bogus slip and fall cases, said Robert Denhard, department spokesman.

Consumers have filed dozens of civil lawsuits against businesses and groups in the Miami Valley, demanding sizable compensation awards for injuries allegedly sustained after slipping and falling.

Major grocery stores, including Kroger and Meijer, have been defendants in some civil lawsuits in this region, but smaller stores have also faced legal action. Scafidi said businesses can combat bogus slips and falls by using surveillance equipment that can catch scammers faking falls or creating conditions to facilitate a slip.

Small businesses But he said many small businesses cannot afford sophisticated security systems, and it can be difficult to prove a fall was engineered without video evidence.

Elizabeth Stelzer, a spokeswoman for Nationwide insurance company, said there are more people attempting slip-and-fall scams, and there also are some active groups of organized criminals who attempt the scams repeatedly.

She said Nationwide works with businesses to teach them how to recognize such scams, and the company encourages businesses after incidents involving falls to write incident reports, interview all witnesses at the scene, take photographs and save surveillance video.

Officials urge members of the public to contact law enforcement if they are aware of any potential cases of insurance fraud. They said such crimes result in billions of dollars in losses each year, although fraud is suspected in only a fraction of insurance claims.

In fiscal year 2011, the Ohio Department of Insurance's Fraud and Enforcement Division received 5,561 allegations of insurance fraud and agent misconduct, and the unit conducted 209 investigations and referred 82 individuals for prosecution