

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



REPORT OF INVESTIGATION

K #: 12-057

Date Opened: March 29, 2012

Date Closed: May 18, 2012

Name of investigator: Manuel W. Diaz

Allegation:

The COE Hotline received an anonymous call advising that Miami-Dade County (MDC) employee Fara Caponi (Caponi) was engaging in insurance fraud.

Applicable Legislation:

Miami Dade County Conflict of Interest and Code of Ethics Ordinance, Sec. 2-11.1

(g) *Exploitation of official position prohibited.* No person included in the terms defined in Subsections (b) (1) through (6) and (b)(13) shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others except as may be specifically permitted by other ordinances and resolutions previously ordained or adopted or hereafter to be ordained or adopted by the Board of County Commissioners.

Investigation:

Caponi is an employee of the MDC Public Library System. She is currently employed at the South Dade Regional Library. Caponi submitted a MDC 2012 Benefits Selection

Form for Group Health Plans on January 3, 2012. (Copy in file). On the form, Caponi lists Michael Grimard (Grimand) as a dependent.

The MDC 2012 Open Enrollment News Letter, lists a Domestic Partner as an eligible dependent for employees. (Copy in file) MDC Code - Article IX – Domestic Partners and Family Health Coverage, Sec. 11A-72 of the Article lists the procedure for registering a Domestic Partnership in MDC.

Interviews:

Fara Caponi, Subject

Caponi was interviewed via telephone. She advised that she had established a Domestic Partnership with Grimard. Caponi and Girmard had lived together for 10 years.

Caponi confirmed that she listed Grimard on her 2012 Benefits Selection Form for Group Health Plans, under the Dental Section. (Copy in file). She advised that she completed the necessary forms to establish a Domestic Partnership and submitted the documents to the MDC Public Library's Human Resources Section.

Caponi confirmed that Grimard had utilized the dental plan since she listed him as a dependent.

Caponi conceded that she did not file with MDC Department of Consumer Affairs as required in Article IX, Sec. 11A-72 (Copy in file). She said that she was not aware that she needed to do so. She assumed that all she needed to do is complete the necessary forms and submit those forms to the MDC Public Library's Human Resources Section.

Mercy Marrero– MDC Public Library System – Personnel Specialist 2

Marrero was interviewed. She confirmed that Caponi has submitted copies of the following MDC forms to her office: Declaration of Domestic Partnership, Dental Status Change Form and Change in Status Form. The forms were transmitted from the MDC Public Library Human Resources to ISD Benefits on January 18, 2012. (Copies in file)

Summary of Facts:

1. The COE received an anonymous call alleging that Caponi was involved in insurance fraud.
2. Research indicated that Caponi had listed Grimard as her dependent with MDC.
3. Article IX – Domestic Partners and Family Health Coverage permits Domestic Partners participation in the MDC employee benefits plans.
4. Caponi completed the forms required for Domestic Partnership under Article IX. The forms were submitted to MDC Public Library Human Resources.
5. Caponi failed to submit the documents for approval to the MDC Department of Consumer Affairs as required under Article IX.

CONCLUSION:

Investigation only revealed a violation of County procedures with regard to claiming a Domestic Partner for insurance benefits. As this does not rise to the level of an *Exploitation of Official Position*, the instant investigation is closed and referred to Raymond Santiago, Director of MDC Public Libraries, for review.