



**COUNTY OF SAN MATEO**  
**Inter-Departmental Correspondence**  
District Attorney's Office



**DATE:** August 29, 2011  
**BOARD MEETING DATE:** September 13, 2011  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors  
**FROM:** Stephen M. Wagstaffe, District Attorney  
**SUBJECT:** California Department of Insurance Life and Annuity Protection  
Program Grants Through Fiscal Year 2013-2014

**RECOMMENDATION:**

Adopt a Resolution:

1. Ratifying the District Attorney's submission of a grant proposal to the California Department of Insurance for the Life and Annuity Protection Program and approving acceptance of the \$85,000 grant award and execution of the grant agreement for FY 2011-12; and
2. Authorizing the District Attorney to submit annual grant proposals to the California Department of Insurance for the Life and Annuity Protection Program for the investigation and prosecution of Life and Annuity Fraud through FY 2013-2014.

**BACKGROUND:**

On May 11, 2011, the San Mateo County District Attorney submitted a grant proposal to the California Department of Insurance for the investigation and prosecution of life insurance and annuity fraud. On or about July 21, 2011, the California Department of Insurance notified the District Attorney's office that it had been awarded \$85,000 in grant monies for the investigation and prosecution of life insurance and annuity fraud. The Grant Award Agreement was signed by Stephen M. Wagstaffe, District Attorney, on July 27, 2011 and by Dave Jones, Insurance Commissioner, on August 11, 2011.

**DISCUSSION:**

The terms of the FY 2011-12 grant allow county grant recipients to obtain the approval and ratification of grant submissions by their governing boards following the award of the grant itself. In each subsequent year, a grant application is required to receive funds through the California Department of Insurance designated to administer these grants. The Life and Annuity Consumer Protection Program establishes a fund to be used exclusively for protecting consumers of life insurance and annuity products in the State of California, by both the California Department of Insurance and local district attorneys.

The grant funds will be used for the investigation and prosecution of life insurance and annuity financial abuse by insurance licensees or persons holding themselves out to be insurance licensees, and for other projects beneficial to insurance consumers, such as community outreach. Life and annuity fraud is often perpetrated against senior citizens and as such there will be an emphasis on outreach to this segment of our population.

County Counsel has reviewed and approved the Resolution as to form and content.

Approval of the Resolution contributes to the Shared Vision 2025 outcome of a Healthy Community by protecting our citizens, especially our seniors, from predatory insurance licensees and those purporting to be licensees.

**FISCAL IMPACT:**

The funding awarded for Fiscal Year 2011-2012 is \$85,000. There is no net county cost expected to be associated with this program.

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION: 1) RATIFYING THE DISTRICT ATTORNEY'S SUBMISSION OF A GRANT PROPOSAL TO THE CALIFORNIA DEPARTMENT OF INSURANCE FOR THE LIFE AND ANNUITY PROTECTION PROGRAM AND APPROVING ACCEPTANCE OF THE \$85,000 GRANT AWARD AND EXECUTION OF THE GRANT AGREEMENT FOR FY 2011-12; AND 2) AUTHORIZING THE DISTRICT ATTORNEY TO SUBMIT ANNUAL GRANT PROPOSALS TO THE CALIFORNIA DEPARTMENT OF INSURANCE FOR THE LIFE AND ANNUITY PROTECTION PROGRAM FOR THE INVESTIGATION AND PROSECUTION OF LIFE AND ANNUITY FRAUD THROUGH FY 2013-2014.**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the San Mateo County District Attorney has applied for and has been awarded \$85,000 in grant funding from the California Department of Insurance for the Life and Annuity Consumer Protection Program for FY 2011-12; and

**WHEREAS**, the San Mateo County District Attorney desires to undertake the Life and Annuity Consumer Protection Program to be funded by grant monies applied for and received from the State of California as administered through the California Department of Insurance through the FY 2013-14; and

**WHEREAS**, each year, in order to apply for and receive such grant monies for such project, the San Mateo County District Attorney must draft and submit Board Memos and Resolutions authorizing the District Attorney's Office to apply for said grant, to accept said grant monies, and to execute the related grant award agreements; and

**WHEREAS**, in the interests of efficiency, the San Mateo County District Attorney is requesting that this Board authorize the District Attorney's office to apply for and accept the above-referenced grant monies through and including the Fiscal Year 2013-2014;

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that

1. The Board hereby ratifies the District Attorney's submission of a grant proposal to the California Department of Insurance for the Life and Annuity Protection Program and approving acceptance of the \$85,000 grant award and execution of the grant agreement for FY 2011-12; and
2. Authorizing the District Attorney to submit annual grant proposals to the California Department of Insurance for the Life and Annuity Protection Program for the investigation and prosecution of Life and Annuity Fraud through FY 2013-2014.

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