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**New York -- Correctional Officer Charged with Running Business While on Comp: EAST [12/21/09]**

A former New York State prison guard who filed a back-injury claim in 2005 has been arrested on charges that he collected benefits after buying and running a pair of Subway Restaurant franchises in Wilmington, N.Y., the North Country Gazette reported last week.

The newspaper said Donald Walker, 43, now of Middleton, Del., voluntarily returned to New York at the request of prosecutors. He was arrested and charged with a felony violation of the New York Workers' Compensation Law on Dec. 11.

An investigation by the New York State Insurance Department Frauds Bureau, the fraud inspector general of the New York State Workers' Compensation Board (SWCB) and the Suffolk County, N.Y., Insurance Crimes Bureau indicated that Walker owns two Subways in Wilmington.

Walker filed a back injury claim with the New York State Insurance Fund (NYSIF) on May 30, 2005, while working at the Bedford Hills Correctional Facility. The newspaper said Walker collected \$19,695 in benefits between May 2005 and October 2007, when NYSIF suspended payments due to lack of medical proof.

Investigators said Walker lost his state job during that time and turned up working at a Subway in New York. Records show he bought the sandwich shop in June 2005 and bought a second Subway in January 2006.

From the time of his injury through July 2008, according to investigators' reports, Walker signed forms indicating that he was not working. He confirmed that during testimony at a SWCB hearing in February 2008.

Source: North Country Gazette

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