



DAVID E. BENKERT

Managing Director

Forensic Accounting & Healthcare Investigations;
Expert Testifier

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EDUCATION

BBA, University of Notre Dame

CERTIFICATIONS

Certified Public Accountant

Certified in Financial Forensics

AFFILIATIONS

American Bar Association

American Institute of Certified
Public Accountants

Arizona Society of Certified
Public Accountants

American Healthcare Lawyers
Association

David E. Benkert is a Managing Director at Ankura, based in Los Angeles. For the over two decades he has been providing clients solutions to their financial accounting and compliance oversight issues. David led forensic investigations, provided litigation support, expert witness testimony, and post investigation remediation guidance. These activities have included financial analysis, forecasting and planning, financial accounting, and whistleblower investigations for management and boards of directors. David frequently works with boards of directors to develop oversight and compliance plans. He has worked for public and non-public companies, not for profit organizations, as well as government entities. David is a Certified Public Accountant as well as being certified in Financial Forensics.

David's professional experience includes:

- **Compliance Investigation – Management Service Organization:** The chief executive officer of a health management service organization retained the team to lead an investigation involving allegations of improper reporting of processing performance of its claims payments and authorizations processes. The engagement involved the collection and analysis of five years of claims and authorization data, conduct interviews of claims, authorizations, information technology and executive personnel, analysis of previously submitted audit results, analysis of database scripts used to create reported results, and review of authorization decisions. Prepared an investigative report that summarized the issues, presented the findings to management, health plans, and regulators.
- **Compliance Investigation – Testing Laboratory:** The general counsel of a testing laboratory retained the team to lead an investigation involving allegations of improper proper billing practices and falsification of patient diagnostic and testing results and bill codes to increase likelihood of payment. The engagement involved the collection and analysis of five years of claims data, conducting interviews of claims, information technology, compliance, legal staff, and executive personnel, analysis of previously submitted claim payment results, analysis of authorization data, claims data and documents submitted to payors, policy and procedures, and review of authorization

decisions. Prepared an investigative report that summarized the issues, presented the findings, and provided a recalculation of provider capitation payments for multiple years.

- **Damage Calculations – Healthcare Insolvency:** Provided litigation support assistance related to solvency of a dissolved organization that owned four health plans and a third-party administrator. Our assistance included the preparation of a three-year financial forecast for each of the entities, review of historical documents related to health plan operating budgeting and financial reporting, compliance with state and financial institution equity, and financial metrics and preparation of an expert report
- **Financial Reporting – Health Plan:** The general counsel of a health plan retained the team to lead an investigation involving allegations of improper payment of capitation to its contracted healthcare providers. The engagement involved the collection and analysis of 10 years of capitation data, review of database scripts, conduct interviews of I/T, finance, and accounting personnel. Prepared an investigative report that summarized the issues, presented the findings, and provided a recalculation of provider capitation payments for multiple years.
- **Financial Reporting – High-tech Manufacturer:** The audit committee of a high-tech manufacturer to investigate issues involving a \$35 million restatement to determine if accounting errors were intentional and done to increase reported net income retained the team as their forensic accountants. The restatement involved the overstatement of finished goods inventories, cost of sales, and valuation issues related acquisition activities. This forensic investigation involved the development of a work plan, collection of electronic data, review and analysis of data, assist in the development in interview material, and preparation and presentation of finding to the Securities and Exchange Commission, the audit committee, and the full company board of directors.
- **Financial Reporting:** David was retained as a forensic accountant by general counsel's office of high-tech component manufacturer to lead an investigation involving allegations of improper financial reporting being reported at one of the company's foreign subsidiaries and these improper results were being reported as part of the company's consolidated financial results and disclosures made in the company's public filings. This engagement involved the collection of electronic documents and hard copy documents, financial analysis related to the alleged issues, witness interviews, and preparation of report to the audit committee.
- **Whistleblower Claims – Healthcare Providers:** An ambulance provider retained the team to conduct a forensic accounting investigation to investigate allegations by a whistleblower that payments were not made to the joint venture partner. The engagement involved the review of accounting, billing and collection, operational, and financial reporting practices of the provider. This engagement involved the collection of electronic documents and hard copy documents, financial analysis related to the alleged issues, witness interviews, and preparation of report to the general counsel.