

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION
BEFORE THE ADMINISTRATIVE DIRECTOR

In Re: PROVIDER SUSPENSION

CRESCENT COMPREHENSIVE
MANAGEMENT, INC.,

Respondent.

Case No. AD PS-22-09

DETERMINATION AND ORDER
RE: SUSPENSION

The Administrative Director of the Division of Workers' Compensation is required to suspend any physician, practitioner, or provider from participating in the California workers' compensation system as a physician, practitioner, or provider if the individual or entity meets any of the express criteria set forth in Labor Code section 139.21(a)(1).

Based upon a review of the record in this case, including the December 21, 2022 Report and Recommendation of Hearing Officer Determination and Order Re: Suspension, the Administrative Director finds that Respondent Crescent Comprehensive Management, Inc., meets the criteria for suspension set forth in Labor Code section 139.21(a) and shall be suspended from participating in the California workers' compensation system as a physician, practitioner, or provider. Pursuant to California Code of Regulations, title 8, section 9788.3(d), the Administrative Director hereby adopts and incorporates the December 21, 2022 Report and Recommendation of Hearing Officer Determination and Order Re: Suspension, attached hereto, as the Administrative Director's Determination and Order re: Suspension.

IT IS HEREBY ORDERED that Crescent Comprehensive Management, Inc., is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: March 15, 2023

/S/ George Parisotto

George Parisotto
Administrative Director
Division of Workers' Compensation

**STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF WORKERS' COMPENSATION
BEFORE THE ADMINISTRATIVE DIRECTOR**

In Re: PROVIDER SUSPENSION

**CRESCENT DIAGNOSTIC aka CRESCENT
COMPREHENSIVE MANAGEMENT, INC.,**

Respondent.

Case No. AD PS-22-09

**DETERMINATION AND
ORDER RE: SUSPENSION**

A hearing was held in the above-captioned matter on December 21, 2022, pursuant to Labor Code § 139.21(b)(2). This matter was ordered submitted for decision that same day. This is the undersigned Hearing Officer's recommended Determination and Order re: Suspension pursuant to Title 8, California Code of Regulations § 9788.3(c).

RELEVANT FACTS

Labor Code § 139.21(a)(1)(D) requires the Administrative Director to suspend any entity from participating in the workers' compensation system if that entity is controlled by an individual who has been convicted as a felony or misdemeanor described in Labor Code § 139.21(a)(1)(A), which includes fraud or abuse of the workers' compensation system.

On July 24, 2018, Amir Obaidullah Khan (hereinafter "Mr. Khan") plead guilty to one count of concealing, or knowingly failing to disclose the occurrence of, and event that affects any person's initial or continued right or entitlement to any insurance benefit or payment, or the amount of any benefit or payment to which the person is entitled, in violation of Penal Code § 550(b)(3) and one count of pay a fee for referral of a patient in violation of Labor Code § 3215. (DIR-AFU Exhibits 3 and 4.)

Following his criminal conviction, Mr. Khan was suspended from participation in workers' compensation system. (DIR-AFU Exhibit 10.) It is noted that Mr. Khan did not contest his own individual suspension. As such, it appears uncontested that Mr. Khan's criminal conviction falls within Labor Code § 139.21(a)(1)(A). Mr. Khan's suspension became effective on June 29, 2022. (DIR-AFU Exhibit 11.) Also as a result of his criminal conviction, the Administrative Director issued a Notice of Provider Suspension – Workers'

Compensation for “Crescent Diagnostic aka Crescent Comprehensive Management, Inc.,” which was dated November 10, 2022. Mr. Khan was identified as the Chief Executive Officer (“CEO”), Secretary, Chief Financial Officer (“CFO”), and Agent for Service of Process for Crescent Comprehensive Management, Inc., as recently as March 26, 2022. (DIR-AFU Exhibits 14 and 15.) In contrast, Mr. Khan was only identified as the “Agent” Crescent Diagnostic, Inc. (DIR-AFU Exhibit 16.)

Mr. Khan, on behalf of Crescent Comprehensive Management, Inc., has requested this hearing.

DETERMINATION

Labor Code § 139.21(a)(1)(D) applies to Crescent Comprehensive Management, Inc. As a result, the Administrative Director is required to immediately suspend Crescent Comprehensive Management Inc., pursuant to Labor Code § 139.21(b)(2).

Labor Code § 139.21(a)(1)(D) does not apply to Crescent Diagnostic, Inc. As a result, the Administrative Director is not required to suspend Crescent Diagnostic, Inc., pursuant to Labor Code § 139.21(b)(2).

BASIS FOR DETERMINATION

Two Separate “Crescent” Entities

It should first be clarified that Crescent Diagnostic Inc., does not appear to be an “aka” of Crescent Comprehensive Management, Inc. The two entities share separate Corporation Entity File Numbers: 1981365 for Crescent Diagnostic, Inc. (DIR-AFU Exhibit 13) and 2261455 for Crescent Comprehensive Management, Inc. (DIR-AFU Exhibits 12, 14, and 15).

Crescent Diagnostic, Inc., had its Initial Filing Date on March 27, 1997, has been inactive since February 1, 2012, and is presently in “Suspended” status according to the Franchise Tax Board and the Secretary of State. (DIR-AFU Exhibit 16.) The Statement of Information for this entity, dated October 30, 2008, is skeletal and only identifies someone

named Ghazala Tabassum Ahmed as a “Manager.” (DIR-AFU Exhibit 13.) Mr. Khan is only identified as the “Agent” for this entity. (DIR-AFU Exhibit 16.)

In contrast, Crescent Comprehensive Management, Inc., had its initial filing date on September 13, 2000 and is appears to be presently active. (DIR-AFU Exhibits 12 and 15.) Mr. Khan was identified as the Chief Executive Officer (“CEO”), Secretary, Chief Financial Officer (“CFO”), and Agent for Service of Process for Crescent Comprehensive Management, Inc., as recently as March 26, 2022. (DIR-AFU Exhibit 15.)

Both entities share a similar name (“Crescent”). Both entities are also “associated” with an address at 2500 E. Ball Road #100 in Anaheim, California. (DIR-AFU Exhibits 18 and 19.) However, it is unclear what makes these entities an “aka” of each other. Both have had different operation histories and one of the entities has even been “suspended” for over 10 years while the other remains active.

The undersigned acknowledges that Mr. Khan is relevant individual to both entities. However, while Mr. Khan is identified as the CEO, Secretary, CFO , and the Agent for Service of Process for Crescent Comprehensive Management, Inc. (DIR-AFU Exhibits 14 and 15), Mr. Khan is only identified as an “Agent” for Crescent Diagnostic, Inc. (DIR-AFU Exhibit 16.) In consideration of these factors, the undersigned will address Crescent Comprehensive Management, Inc., and Crescent Diagnostic, Inc., separately.

Application of Suspension: Crescent Comprehensive Management, Inc.

Labor Code § 139.21(a)(1)(D) requires the Administrative Director to suspend any entity from participating in the workers’ compensation system if that entity is controlled by an individual who has been convicted as a felony or misdemeanor described in Labor Code § 139.21(a)(1)(A), which includes fraud or abuse of the workers’ compensation system. It is uncontested that Mr. Khan’s criminal conviction falls within these Labor Code sections. It is also uncontested that Mr. Khan is identified as the CEO, Secretary, CFO , and the Agent for Service of Process for Crescent Comprehensive Management, Inc. (DIR-AFU Exhibits 14 and 15.) Per the relevant portions of Labor Code § 139.21 (a)(1)(E), an entity is controlled by an individual if the individual is an officer or a director of the entity, or a shareholder with a 10

percent or greater interest in the entity. As such, Crescent Comprehensive Management, Inc., should be suspended from participation in California's workers' compensation system because Mr. Khan does have "control" over this entity. It is irrelevant that Crescent Comprehensive Management, Inc., allegedly does not actually conduct business in the workers' compensation system. For the foregoing reasons, a determination is made that Labor Code § 139.21(a)(1)(D) applies to Crescent Comprehensive Management, Inc., and immediate suspension is therefore required by § 139.21(b)(2).

Application of Suspension: Crescent Diagnostic, Inc.

In contrast to Crescent Comprehensive Management, Inc., Mr. Khan is only identified as an "Agent" for Crescent Diagnostic, Inc. (DIR-AFU Exhibit 16.) No other information or evidence was provided that identifies Mr. Khan as an officer, director, or shareholder in Crescent Diagnostics, Inc. As such, it is unclear whether Mr. Khan has "control" over this entity per Labor Code § 139.21 (a)(1)(E). Consequently, Crescent Comprehensive Management, Inc., should not be suspended from participations in California's workers' compensation system. It is noted that this entity remains suspended and has been inactive since approximately 2012. A determination is made that Labor Code § 139.21(a)(1)(D) does not apply to Crescent Diagnostic, Inc., and suspension is therefore not required.

ORDER

IT IS ORDERED that Crescent Comprehensive Management, Inc., is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

DATE: December 27, 2022

/S/ Gene W. Lee

Gene W. Lee
HEARING OFFICER
WORKERS' COMPENSATION
ADMINISTRATIVE LAW JUDGE