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

In Re: PROVIDER SUSPENSION

ORDER OF SUSPENSION

CURTIS W. MONTGOMERY
CHIROPRACTIC, CORPORATION,

Respondent.

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WHEREAS, Labor Code section 139.21(a)(1)(D) requires the Administrative Director to suspend any entity controlled by an individual who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A); and

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WHEREAS, Respondent Curtis W. Montgomery Chiropractic, Corporation, is controlled by an individual, Curtis Wayne Montgomery, who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A). (Per Labor Code section 139.21(a)(3), an entity is controlled by an individual if (1) the individual is or was an officer or director of the entity, (2) is or was a shareholder with a 10 percent or greater interest in the entity, or (3) held de facto ownership of the entity or de facto control consistent with the rights and duties of an officer or director of the entity (see *Villanueva v. Teva Foods* (2019) WCAB Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision].); and

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WHEREAS, on or about December 1, 2022, the Administrative Director mailed to Curtis W. Montgomery Chiropractic, Corporation, a written notice of the right to a hearing regarding the suspension and the procedure to follow to request a hearing, as provided in Labor Code section 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1; and

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WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1(d), the written notice advised Curtis W. Montgomery Chiropractic, Corporation, that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Curtis W. Montgomery Chiropractic, Corporation,

1 submitted a written request for a hearing within ten (10) calendar days of the date of mailing of
2 the notice; and

3 WHEREAS, Curtis W. Montgomery Chiropractic, Corporation, did not submit a written
4 request for hearing within ten (10) calendar days of the date of mailing of the notice; and

5 WHEREAS, the Administrative Director is required to suspend any physician,
6 practitioner, or provider pursuant to Labor Code section 139.21 and title 8, California Code of
7 Regulations section 9788.2, after thirty (30) days from the date the notice was mailed, unless
8 the physician, practitioner, or provider submits a written request for a hearing within ten (10)
9 calendar days of the date of mailing of the notice;

10 **IT IS HEREBY ORDERED** that Respondent Curtis W. Montgomery Chiropractic,
11 Corporation, is hereby suspended from participating in the workers' compensation system as a
12 physician, practitioner, or provider.

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16 Date: January 31, 2023

/s/ George Parisotto
17 GEORGE PARISOTTO
18 Administrative Director
19 Division of Workers' Compensation
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