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

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**In Re: PROVIDER SUSPENSION**  
**INNOVATIVE ORTHOPEDIC SOLUTION, ORDER OF SUSPENSION**  
**Respondent.**

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

14 WHEREAS, Respondent Innovative Orthopedic Solution is controlled by an  
15 individual, Schlomo Schmucl, who has been convicted of a felony or misdemeanor  
16 described in Labor Code section 139.219(a)(1)(A). (Per Labor Code section 139.21(a)(3),  
17 an entity is controlled by an individual if: (1) the individual is or was an officer or director of  
18 the entity; (2) is or was a shareholder with a 10 percent or greater interest in the entity; or  
19 (3) held de facto ownership of the entity or de facto control consistent with the rights and  
20 duties of an officer or directory of the entity. See Villanueva v. Teva Foods (2019) WCAB  
21 Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision].); and

22 WHEREAS, on or about September 19, 2023, the Administrative Director mailed to  
23 Innovative Orthopedic Solution a written notice of the right to a hearing regarding the  
24 suspension and the procedure to follow to request a hearing, as provided in Labor Code  
25 section 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1; and

26 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of  
27 Regulations, title 8, section 9788.1(d), the written notice advised Innovative Orthopedic  
28 Solution that the suspension would start thirty (30) calendar days after the date of mailing

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

3 WHEREAS, Innovative Orthopedic Solution did not submit a written request for  
4 hearing with in 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 California Code of  
7 Regulations, title 8, section 9788.2, after thirty (30) days from the date the notice was  
8 mailed, unless the physician, practitioner, or provider submits a written request for a  
9 hearing within ten (10) calendar days of the date of mailing of the notice;

10 **IT IS HEREBY ORDERED** that Respondent Innovative Orthopedic Solution is  
11 hereby suspended from participating in the workers' compensation system as a physician,  
12 practitioner, or provider.

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15 Date: January 18, 2024

16 /S/ George Parisotto  
17 George P. Parisotto  
18 Administrative Director  
19 Division of Workers' Compensation  
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