

1 STATE OF CALIFORNIA
2 DEPARTMENT OF INDUSTRIAL RELATIONS
3 DIVISION OF WORKERS' COMPENSATION
4 BEFORE THE ADMINISTRATIVE DIRECTOR

5 In Re: PROVIDER SUSPENSION

6 JOHN F. KIRBY, JR.,

7 Respondent.

8 ORDER OF SUSPENSION

9
10 WHEREAS, Labor Code section 139.21(a)(1)(C) requires the Administrative Director
11 to suspend any physician, practitioner, or provider from participating to the workers'
12 compensation system as a physician, practitioner, or provider whose license, certification,
13 or approval to provide health care services has been surrendered or revoked; and

14 WHEREAS, on or about February 15, 2022, Respondent John F. Kirby, Jr.'s license,
15 certification, or approval to provide health care services was surrendered or revoked by the
16 Medical Board of California, Department of Consumer Affairs; and

17 WHEREAS, on or about July 31, 2023, the Administrative Director mailed to John F.
18 Kirby, Jr., a written notice of the right to a hearing regarding the suspension and the
19 procedure to follow to request a hearing, as provided in Labor Code section 139.21(b)(2)
20 and California Code of Regulations, title 8, section 9788.1; and

21 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of
22 Regulations, title 8, section 9788.1(d), the written notice advised John F. Kirby, Jr., that the
23 suspension would start thirty (30) calendar days after the date of mailing of written notice,
24 unless John F. Kirby, Jr., submitted a written request for a hearing within ten (10) calendar
25 days of the date of mailing of the notice; and

26 //

27 //

28 //

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

6 **IT IS HEREBY ORDERED** that Respondent John F. Kirby, Jr., is hereby suspended
7 from participating in the workers' compensation system as a physician, practitioner, or
8 provider.

9
10
11 Date: September 12, 2023

/S/ George Parisotto
GEORGE PARISOTTO
Administrative Director
Division of Workers' Compensation