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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**

**CARLA PEKSON MARIANO,  
Respondent.**

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Labor Code section 139.21(a)(1)(B) requires the Administrative Director of the Division of Workers' Compensation (Administrative Director) 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 has been suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs or the Medi-Cal program.

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Labor Code section 139.21(a)(1)(C) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the California workers' compensation system as a physician, practitioner, or provider whose license, certification or approval to provide health care services has been surrendered or revoked.

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On or about November 18, 2016, Respondent Carla Pekson Mariano's (Mariano) license, certification or approval to provide health care services was surrendered or revoked by the Board of Vocational Nursing and Psychiatric Technicians, Department of Consumer Affairs.

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On or about April 28, 2017, Respondent Mariano was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs.

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On or about August 12, 2022, the Administrative Director mailed to Respondent Mariano a written notice of the right to a hearing regarding the suspension and the

1 procedure to follow to request a hearing, as provided in Labor Code section  
2 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1.

3 Pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations,  
4 title 8, section 9788.1(d), the written notice advised Respondent Mariano that the  
5 suspension would start thirty (30) calendar days after the date of mailing of written  
6 notice, unless Respondent Mariano submitted a written request for a hearing within ten  
7 (10) calendar days of the date of mailing of the notice.

8 By letter dated August 16, 2022, Respondent Mariano requested that she not be  
9 suspended under Labor Code section 139.21(a)(1)(B) and (C). Interpreting this letter as  
10 a request for a hearing, the Administrative Director, by Notice of Hearing and  
11 Designation of Hearing Officer dated August 25, 2022, scheduled a hearing on the  
12 suspension for September 25, 2022. Subsequently, by letter dated September 3, 2022,  
13 Respondent Mariano requested that the hearing be cancelled.

14 The Administrative Director is required to suspend any physician, practitioner, or  
15 provider pursuant to Labor Code section 139.21 and California Code of Regulations,  
16 title 8, section 9788.2, after thirty (30) days from the date the notice was mailed, unless  
17 the physician, practitioner, or provider submits a written request for a hearing within ten  
18 (10) calendar days of the date of mailing of the notice. As Respondent Mariano has  
19 withdrawn her request for a hearing,

20 **IT IS HEREBY ORDERED** that Respondent Carla Pekson Mariano is hereby  
21 suspended from participating in the California workers' compensation system as a  
22 physician, practitioner, or provider.

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24 Date: September 21, 2022

25 /S/ George P. Parisotto  
26 George P. Parisotto  
27 Administrative Director  
28 Division of Workers' Compensation