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

In Re: PROVIDER SUSPENSION
JOSE MELENDEZ,
Respondent.

ORDER OF SUSPENSION

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WHEREAS, Labor Code section 139.21(a)(1)(A) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the workers' compensation system as a physician, practitioner, or provider if the individual has been convicted of any felony or misdemeanor described in Labor Code section 139.21(a)(1)(A); and

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WHEREAS, on or about November 10, 2017, Respondent Jose Melendez pled guilty to or was found guilty of one or more felonies or misdemeanors described in Labor Code section 139.21(a)(1)(A) in the United States District Court, County of Imperial; and

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WHEREAS, Labor Code section 139.21(a)(1)(B) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the workers' compensation system as a physician, practitioner, or provider who has been suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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WHEREAS, Jose Melendez was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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

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WHEREAS, on or about January 16, 2017, Jose Melendez's license, certification or approval to provide health care services was surrendered or revoked by the California Medical

1 Board, Department of Consumer Affairs; and

2 WHEREAS, on or about December 1, 2022, the Administrative Director mailed to Jose
3 Melendez a written notice of the right to a hearing regarding the suspension and the procedure
4 to follow to request a hearing, as provided in Labor Code section 139.21(b)(2) and California
5 Code of Regulations, title 8, section 9788.1; and

6 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of
7 Regulations, title 8, section 9788.1(d), the written notice advised Jose Melendez that the
8 suspension would start thirty (30) calendar days after the date of mailing of written notice,
9 unless Jose Melendez submitted a written request for a hearing within ten (10) calendar days
10 of the date of mailing of the notice; and

11 WHEREAS, Jose Melendez did not submit a written request for hearing within ten (10)
12 calendar days of the date of mailing of the notice; and

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

18 **IT IS HEREBY ORDERED** that Respondent Jose Melendez is hereby suspended from
19 participating in the workers' compensation system as a physician, practitioner, or provider.

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23 Date: January 31, 2023

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