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

In Re: PROVIDER SUSPENSION

ORDER OF SUSPENSION

CARLOS ARGUELLO,

Respondent.

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

WHEREAS, on or about July 19, 2016, Carlos Arguello 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, Southern District of California; and

WHEREAS, on or about January 17, 2017, the Administrative Director mailed to Carlos Arguello 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

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 Carlos Arguello that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Carlos Arguello submitted a written request for a hearing, within ten (10) calendar days of the date of mailing of the notice; and

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

WHEREAS, the Administrative Director is required to suspend any physician, practitioner, or provider pursuant to Labor Code section 139.21 and Title 8, California Code of Regulations section

1

2

3

9788.2, after thirty (30) days from the date the notice was mailed, unless the physician, practitioner, or provider submits a written request for a hearing, within ten (10) calendar days of the date of mailing of the notice;

**IT IS HEREBY ORDERED** that Carlos Arguello is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: February 17, 2017

GEORGE PARISOTTO

Acting Administrative Director Division of Workers' Compensation

1	CERTIFICATE OF SERVICE BY MAIL
2	(C.C.P. section 1013(a), 2015.5)
3	I am over the age of 18 years and not a party to the entitled action. My business address is 1515 Clay Street, 18 <sup>th</sup> Floor, Oakland, California 94612. I served the following documents:
4	ORDER OF SUSPENSION
5	on the following person(s) at the following address(es):
6	
7	By Certified Mail/Return Receipt Requested: Carlos Arguello
8	1084 Second Avenue Chula Vista, CA 91911
9	·
10	By Hand Delivery/Personal Service:
11	California Department of Industrial Relations Anti-Fraud Unit
12	1515 Clay Street, 17 <sup>th</sup> Floor
13	Oakland, CA 94612
14	Paige Levy, Chief Judge Division of Workers' Compensation
15	1515 Clay Street, 17 <sup>th</sup> floor
16	Oakland, CA 94612
17	The documents were served by the following means:
18	[X] BY U.S. CERTIFIED MAIL/RETURN RECEIPT REQUESTED. I enclosed the documents
19	in a sealed envelope or package addressed to the person(s) at the address(es) listed above and placed the envelope or package for collection and mailing, following our ordinary business practices. I am
20	readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, on the same day that correspondence is placed for collection and mailing, it is
	deposited in the ordinary course of business with the U.S. Postal Service, in a sealed envelope or
U.S. PO	Distal Service <sup>™</sup>
	AL SERVICE. I personally derivered the documents to the
	e by leaving the documents at the specified office address with urge of the office in an envelope or package clearly labeled to
Postage \$ RECEIVED	
(Endersement R	1010
Resricted Deliv (Endorsement R	DVVC LEGAL UNIT
Total Postage & Fees \$	
Carlos Arguello CATHY FUJITA-LAM CATHY FUJITA-LAM	
City, st. Chula Vista, CA 91911	

ructions

2120 0004 3852 6829 (Ende Res (Endo Tota Sent Tc Street i or PO E

PS For