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

In Re: PROVIDER SUSPENSION

CARDIO VASCULAR PLUS, INC.,

Respondent.

ORDER OF SUSPENSION

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

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WHEREAS, Respondent Cardio Vascular Plus, Inc., is controlled by an individual, Edwin Louis Dagostino, who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A). (Per Labor Code section 139.21(a)(3), an entity is controlled by an individual if (1) the individual is or was an officer or director of the entity, (2) is or was a shareholder with a 10 percent or greater interest in the entity, or (3) held de facto ownership of the entity or de facto control consistent with the rights and duties of an officer or directory of the entity (see *Villanueva v. Teva Foods* (2019) WCAB Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision]); and

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WHEREAS, on or about December 1, 2022, the Administrative Director mailed to Cardio Vascular Plus, Inc., 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

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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 Cardio Vascular Plus, Inc., that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Cardio Vascular Plus, Inc., submitted a written request for a hearing within ten

1 (10) calendar days of the date of mailing of the notice; and

2 WHEREAS, Cardio Vascular Plus, Inc., did not submit a written request for hearing
3 within ten (10) calendar days of the date of mailing of the notice; and

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

9 **IT IS HEREBY ORDERED** that Cardio Vascular Plus, Inc., is hereby suspended from
10 participating in the workers' compensation system as a physician, practitioner, or provider.

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14 Date: January 31, 2023

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