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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**

**DAVID CUONG MANH NGUYEN,  
Respondent.**

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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 March 9, 2018, Respondent David Nguyen 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 Superior Court of California, County of San Diego; 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, David Nguyen 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 March 13, 2019, David Nguyen's license, certification or approval to provide health care services was surrendered or revoked by the California Board of Chiropractic Examiners, Department of Consumer Affairs; and

1           WHEREAS, on or about January 10, 2023, the Administrative Director mailed to David  
2 Nguyen a written notice of the right to a hearing regarding the suspension and the procedure  
3 to follow to request a hearing, as provided in Labor Code section 139.21(b)(2) and California  
4 Code of Regulations, title 8, section 9788.1; and

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

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

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

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

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21 Date: February 22, 2023

22           /S/ George Parisotto  
23           George Parisotto  
24           Administrative Director  
25           Division of Workers' Compensation  
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