

1  
2  
3  
4  
5  
6  
7  
8  
9

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

In Re: PROVIDER SUSPENSION

NEIL ALAN VAN DYCK,

Respondent.

**ORDER OF SUSPENSION**

10  
11  
12  
13

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

14  
15  
16

WHEREAS, on or about April 15, 2016, Neil Alan Van Dyck 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 for the Eastern District of California; and

17  
18  
19  
20

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

21  
22

WHEREAS, Neil Alan Van Dyck was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

23  
24  
25  
26

WHEREAS, on or about May 19, 2017, the Administrative Director mailed to Neil Alan Van Dyck 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 title 8, California Code of Regulations section 9788.1; and

27  
28

WHEREAS, pursuant to Labor Code section 139.21(b)(2) and title 8, California Code of Regulations section 9788.1(d), the written notice advised Neil Alan Van Dyck that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Neil Alan Van Dyck


1 submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the  
2 notice; and

3 WHEREAS, Neil Alan Van Dyck did not submit a written request for hearing within ten (10)  
4 calendar days of the date of mailing of the notice; and

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

10 **IT IS HEREBY ORDERED** that Neil Alan Van Dyck is hereby suspended from participating  
11 in the workers' compensation system as a physician, practitioner, or provider.

12 Date: July 7, 2017

13   
14 \_\_\_\_\_  
15 GEORGE PARISOTTO  
16 Actng Administrative Director  
17 Division of Workers' Compensation  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28