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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

MICHAEL ROLAND PUDE VIVIAN,
Respondent.

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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 July 7, 2017, Michael Vivian's license, certification or approval to provide health care services was surrendered or revoked by the Medical Board of California, Department of Consumer Affairs; and

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WHEREAS, on or about December 22, 2017, the Administrative Director mailed to Michael Vivian 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 Michael Vivian that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Michael Vivian submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

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

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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 9788.2, after thirty (30) days from the date the notice was mailed, unless the physician, practitioner, or

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

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

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6 Date: January 29, 2018



7 GEORGE PARISOTTO
8 Administrative Director
9 Division of Workers' Compensation