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

In Re: PROVIDER SUSPENSION

THOMAS JOSEPH BARNARD.

ORDER OF SUSPENSION

Respondent.

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

WHEREAS, Respondent Thomas Joseph Barnard (Thomas Barnard) was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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

WHEREAS, on or about December 14, 2016, Thomas Barnard's license, certification, or approval to provide health care services was surrendered or revoked by the California Medical Board, Department of Consumer Affairs; and

WHEREAS, on or about January 25, 2023, the Administrative Director mailed to Thomas Barnard 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 Thomas Barnard that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Thomas Barnard submitted a written request for a hearing within ten (10) calendar days

of the date of mailing of the notice; and

WHEREAS, Thomas Barnard 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 California Code of Regulations, title 8, section 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 Thomas Barnard is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: March 28, 2023

<u>/S/ George Parisotto</u> GEORGE PARISOTTO Administrative Director Division of Workers' Compensation