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

In Re: PROVIDER SUSPENSION

FRONTERA MEDICAL GROUP, a PROFESSIONAL CORPORATION,

Respondent.

ORDER OF SUSPENSION

Labor Code section 139.21(a)(1)(D) requires the Administrative Director of the Division of Workers' Compensation (Administrative Director) to suspend any entity from participating in the California workers' compensation system as a physician, practitioner, or provider if the entity controlled by an individual who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A).

Labor Code section 139.21(a)(1)(A) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the California workers' compensation system as a physician, practitioner, or provider if the individual or entity has been convicted of any felony or misdemeanor and that crime either: (1) involves fraud or abuse of the federal Medicare or Medicaid programs, the Medi-Cal program, or the workers' compensation system, or fraud or abuse of any patient; (2) relates to the conduct of the individual's medical practice as it pertains to patient care; or (3) is a financial crime that relates to the federal Medicare or Medicaid programs, the Medi-Cal program, or the workers' compensation system.

Labor Code section 139.21(a)(3) provides that an entity is controlled by an individual if the individual: (1) 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].)

1   On or about October 4, 2017, John Franklin Workman, III, an individual, was

2   convicted in the United States District Court, Southern District of California, of a crime

3   described in Labor Code section 139.21(a)(1)(A). (U.S.A. v. Workman, Case No. 17-

4   CR-01844-BEN.)

5   Respondent Frontera Medical Group, a Professional Corporation, is controlled by

6   John Franklin Workman, III, pursuant to Labor Code section 139.21(a)(3).

7   On or about November 15, 2022, the Administrative Director mailed to

8   Respondent Frontera Medical Group, a Professional Corporation, a written notice of the

9   right to a hearing regarding the suspension and the procedure to follow to request a

10   hearing, as provided in Labor Code section 139.21(b)(2) and California Code of

11   Regulations, title 8, section 9788.1.

12   Pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations,

13   title 8, section 9788.1(d), the written notice advised Respondent Frontera Medical

14   Group, a Professional Corporation, that the suspension would start thirty (30) calendar

15   days after the date of mailing of written notice, unless Respondent Frontera Medical

16   Group, a Professional Corporation, submitted a written request for a hearing within ten

17   (10) calendar days of the date of mailing of the notice.

18   Respondent Frontera Medical Group, a Professional Corporation, did not submit

19   a written request for hearing within ten (10) calendar days of the date of mailing of the

20   notice.

21   The Administrative Director is required to suspend any physician, practitioner, or

22   provider pursuant to Labor Code section 139.21 and California Code of Regulations,

23   title 8, section 9788.2, after thirty (30) days from the date the notice was mailed, unless

24   the physician, practitioner, or provider submits a written request for a hearing within ten

25   (10) calendar days of the date of mailing of the notice.

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1   **IT IS HEREBY ORDERED** that Respondent Frontera Medical Group, a

2   Professional Corporation, is hereby suspended from participating in the California

3   workers' compensation system as a physician, practitioner, or provider.

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5   Date: December 28, 2022

/S/ George P. Parisotto

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6   George P. Parisotto
     Administrative Director
7   Division of Workers' Compensation

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