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

In Re: PROVIDER SUSPENSION
XINMING FU,

ORDER OF SUSPENSION

Respondent.

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

WHEREAS, on or about May 24, 2010, Respondent Xinming Fu 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, Central District of California, Southern Division; and

WHEREAS, on or about December 22, 2022, the Administrative Director mailed to Xinming Fu 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 Xinming Fu that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Xinming Fu submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

WHEREAS, Xinming Fu 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 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 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 Xinming Fu is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider. Date: February 23, 2023 /S/ George Parisotto George Parisotto Administrative Director Division of Workers' Compensation