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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

RICHARD LEROY JAMES,
Respondent.

10 WHEREAS, Labor Code section 139.21(a)(1)(A) requires the Administrative Director to
11 suspend any physician, practitioner, or provider from participating in the workers' compensation system
12 as a physician, practitioner, or provider if the individual has been convicted of any felony or
13 misdemeanor described in Labor Code section 139.21(a)(1)(A); and

14 WHEREAS, on or about August 25, 2014, Richard Leroy James pled guilty to or was found
15 guilty of one or more felonies or misdemeanors described in Labor Code section 139.21(a)(1)(A) in the
16 United States District Court, Eastern District of California; and

17 WHEREAS, Labor Code section 139.21(a)(1)(B) requires the Administrative Director to
18 suspend any physician, practitioner, or provider from participating in the workers' compensation system
19 as a physician, practitioner, or provider who has been suspended, due to fraud or abuse, from the federal
20 Medicare or Medicaid programs; and

21 WHEREAS, Richard Leroy James was suspended, due to fraud or abuse, from the federal
22 Medicare or Medicaid programs; and

23 WHEREAS, Labor Code section 139.21(a)(1)(C) requires the Administrative Director to
24 suspend any physician, practitioner, or provider from participating in the workers' compensation system
25 as a physician, practitioner, or provider whose license, certification or approval to provide health care
26 services has been surrendered or revoked; and

27 WHEREAS, on or about March 10, 2017, Richard Leroy James's license, certification or
28 approval to provide health care services was surrendered or revoked by the California Board of
Registered Nursing, Department of Consumer Affairs; and

1 WHEREAS, on or about August 10, 2018, the Administrative Director mailed to Richard Leroy
2 James a written notice of the right to a hearing regarding the suspension and the procedure to follow to
3 request a hearing, as provided in Labor Code section 139.21(b)(2) and California Code of Regulations,
4 title 8, section 9788.1; and

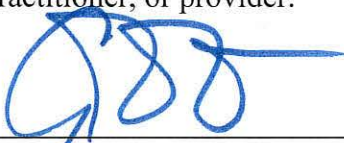
5 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations,
6 title 8, section 9788.1(d), the written notice advised Richard Leroy James that the suspension would start
7 thirty (30) calendar days after the date of mailing of written notice, unless Richard Leroy James
8 submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the
9 notice; and

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

12 WHEREAS, the Administrative Director is required to suspend any physician, practitioner, or
13 provider pursuant to Labor Code section 139.21 and Title 8, California Code of Regulations section
14 9788.2, after thirty (30) days from the date the notice was mailed, unless the physician, practitioner, or
15 provider submits a written request for a hearing within ten (10) calendar days of the date of mailing of
16 the notice;

17 **IT IS HEREBY ORDERED** that Richard Leroy James is hereby suspended from participating
18 in the workers' compensation system as a physician, practitioner, or provider.

19 Date: September 21, 2018

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22 GEORGE PARISOTTO
23 Administrative Director
24 Division of Workers' Compensation
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