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

**In Re: PROVIDER SUSPENSION**  
**ROSEMARY ELLEN MICHELS,**  
**Respondent.**

**ORDER OF SUSPENSION**

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Labor Code section 139.21(a)(1)(A) requires the Administrative Director of the Division of Workers' Compensation (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.

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Labor Code section 139.21(a)(1)(B) 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 suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs or the Medi-Cal program.

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Labor Code section 139.21(a)(1)(C) 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 whose license, certification or approval to provide health care services has been surrendered or revoked.

1 On or about March 17, 2015, Respondent Rosemary Ellen Michels (Michels) was  
2 convicted in the Superior Court of California, County of Fresno, of crimes described in  
3 Labor Code section 139.21(a)(1)(A). (People v. Michels, Case No. M14912074.)

4 Respondent Michels was suspended, due to fraud or abuse, from the federal  
5 Medicare or Medicaid programs.

6 On or about February 2, 2017, Respondent Michels's license, certification or  
7 approval to provide health care services was surrendered or revoked by the California  
8 Board of Registered Nursing, Department of Consumer Affairs.

9 On or about August 12, 2022, the Administrative Director mailed to Respondent  
10 Michels a written notice of the right to a hearing regarding the suspension and the  
11 procedure to follow to request a hearing, as provided in Labor Code section  
12 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1.

13 Pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations,  
14 title 8, section 9788.1(d), the written notice advised Respondent Michels that the  
15 suspension would start thirty (30) calendar days after the date of mailing of written  
16 notice, unless Respondent Michels submitted a written request for a hearing within ten  
17 (10) calendar days of the date of mailing of the notice.

18 Respondent Michels did not submit a written request for hearing within ten (10)  
19 calendar days of the date of mailing of the notice.

20 The Administrative Director is required to suspend any physician, practitioner, or  
21 provider pursuant to Labor Code section 139.21 and California Code of Regulations,  
22 title 8, section 9788.2, after thirty (30) days from the date the notice was mailed, unless  
23 the physician, practitioner, or provider submits a written request for a hearing within ten  
24 (10) calendar days of the date of mailing of the notice;

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1           **IT IS HEREBY ORDERED** that Respondent Rosemary Ellen Michels is hereby  
2 suspended from participating in the California workers' compensation system as a  
3 physician, practitioner, or provider.

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5 Date: 9/21/2022

/S/ George Parisotto  
George P. Parisotto  
Administrative Director  
Division of Workers' Compensation

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