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

In Re: PROVIDER SUSPENSION

TIMOTHY B. MARTIN,

Respondent.

ORDER OF SUSPENSION

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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, Timothy Martin 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 June 1, 2015, Timothy Martin's license, certification or approval to provide health care services was surrendered or revoked by the Osteopathic Medical Board of California, Department of Consumer Affairs; and

WHEREAS, on or about July 7, 2017, the Administrative Director mailed to Timothy Martin 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 Timothy Martin that the suspension would start

thirty (30) calendar days after the date of mailing of written notice, unless Timothy Martin submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

WHEREAS, Timothy Martin 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 Timothy B. Martin is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: September 29, 2017

GEORGE PARISOTTO

Acting Administrative Director Division of Workers' Compensation