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

In Re: PROVIDER SUSPENSION
NICOLAS D. PENNER,

ORDER OF SUSPENSION

Respondent.

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 January 18, 2019, Respondent Nicolas D. Penner's (Nicholas Penner) license, certification or approval to provide health care services was surrendered or revoked by the California Medical Board, Department of Consumer Affairs; and

WHEREAS, on or about March 29, 2023, the Administrative Director mailed to Nicolas Penner 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 Nicolas Penner that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Nicolas Penner submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

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

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WHEREAS, the Administrative Director is required to suspend any physician, practitioner, or provider pursuant to Labor Code section 139.21 and California Code of Regulations, title 8, 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 Nicholas Penner is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: May 26, 2023

/S/ George Parisotto

GEORGE PARISOTTO
Administrative Director
Division of Workers' Compensation