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

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5 6 In Re: PROVIDER SUSPENSION

EDGAR POGOSIAN,

Respondent.

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ORDER OF SUSPENSION

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 February 25, 2016, Edgar Pogosian 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; and

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, Edgar Pogosian was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

WHEREAS, on or about September 1, 2017, the Administrative Director mailed to Edgar Pogosian 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 Edgar Pogosian that the suspension would start

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

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

GEORGE PARISOTTO

Acting Administrative Director Division of Workers' Compensation