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## Damiani Law Group APC

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August 18, 2022

Mr. George Parisotto  
Hearing Request  
Administrative Director  
Division of Workers' Compensation  
1515 Clay Street, Suite 1700  
Oakland, CA 94612

**Re: Dr. Jeffrey Marc Steinhardt Request for Hearing and Notification of Representative**

Dear Mr. Parisotto:

My office is in possession of your August 9, 2023 Notice of Provider Suspension – Worker’s Compensation to Dr. Jeffrey Steinhardt. Dr. Steinhardt has retained my firm to represent him in this suspension proceeding. Dr. Steinhardt was not served with the notice until August 15, 2023. However, in an abundance of caution and to be certain Dr. Steinhardt’s rights are protected, we are providing this request for a hearing today.

At the time set for hearing on the proposed suspension, Dr. Steinhardt will prove that Labor Code section 139.21 is unconstitutional on its face and as applied to Dr. Steinhardt. More specifically, Labor Code section 139.21 violates the equal protection, contracts, and due process clauses of the United States and California Constitutions and the Constitutional mandate requiring separation of powers.

Dr. Steinhardt was appointed by Governor Wilson to the Board of Chiropractic Examiners (BCE) and had been a member for nine years, one of which he served as chairperson. He served an additional four-year term after an appointment by Governor Schwarzenegger. Dr. Steinhardt, one of a few doctors providing excellent chiropractic care to injured workers, has been practicing as a worker’s compensation provider for about 36 years. A significant portion of his practice

consists of injured workers obtaining care through the worker's compensation system. Although Section 139.21 calls for a provider "suspension" for criminal convictions that fall within four (4) broad categories, it fails to afford notice as to what conduct will result in suspension and limitations on the suspension or other procedures under which practitioners who are suspended may be reinstated. As such, if Dr. Steinhardt is suspended as a provider, his livelihood, including income from ongoing contracts with clients, will be taken from him in violation of his constitutional rights.

Dr. Steinhardt made all repayments on questioned billings of his own accord, not based on a court order. When notified of the accusations by the district attorney's office, he immediately performed an audit on his billing practices and made corrections. Moreover, he is presently taking ethics and billing courses to ensure that nothing like this will ever happen again.

Dr. Steinhardt's current address is 2707 Congress Street, Suite 2A, San Diego, CA 92110; however, please direct all future correspondence to my attention, as I will be representing Dr. Steinhardt at the time set for hearing on the proposed suspension. My email and postal addresses appear at the top of this letter.

I will be starting trial in San Diego Superior Court on September 6, 2023 that is likely going to progress through the end of September. As such and although your practice is to schedule a hearing within 30 days, Dr. Steinhardt requests a hearing at a time when I may be present. He hereby waives his right to a speedy hearing and requests a date no earlier than October 10, 2023.

We look forward to your reply.

Very truly yours,

**DAMIANI LAW GROUP APC**

A handwritten signature in cursive script, appearing to read "Lisa J. Damiani".

**By:** Lisa J. Damiani  
Attorney for Dr. Jeffrey Marc Steinhardt