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

In Re: PROVIDER SUSPENSION  
JERRY TABUYO,  
Respondent.

**ORDER OF SUSPENSION**

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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

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WHEREAS, on or about January 24, 2017, Jerry Tabuyo 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 Superior Court of the State of California, County of Riverside; and

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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

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WHEREAS, Jerry Tabuyo was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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WHEREAS, on or about September 22, 2017, the Administrative Director mailed to Jerry Tabuyo 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

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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 Jerry Tabuyo that the suspension would start


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

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

5 WHEREAS, the Administrative Director is required to suspend any physician, practitioner, or  
6 provider pursuant to Labor Code section 139.21 and Title 8, California Code of Regulations section  
7 9788.2, after thirty (30) days from the date the notice was mailed, unless the physician, practitioner, or  
8 provider submits a written request for a hearing within ten (10) calendar days of the date of mailing of  
9 the notice;

10 **IT IS HEREBY ORDERED** that Jerry Tabuyo is hereby suspended from participating in the  
11 workers' compensation system as a physician, practitioner, or provider.

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13 Date: October 27, 2017

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16 GEORGE PARISOTTO  
17 Administrative Director  
18 Division of Workers' Compensation  
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