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

In Re: PROVIDER SUSPENSION

ORDER OF SUSPENSION

NEIL ALAN VAN DYCK,

Respondent.

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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 April 15, 2016, Neil Alan Van Dyck 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 for the Eastern District of California; 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, Neil Alan Van Dyck was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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WHEREAS, on or about May 19, 2017, the Administrative Director mailed to Neil Alan Van Dyck 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 title 8, California Code of Regulations section 9788.1; and

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WHEREAS, pursuant to Labor Code section 139.21(b)(2) and title 8, California Code of Regulations section 9788.1(d), the written notice advised Neil Alan Van Dyck that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Neil Alan Van Dyck

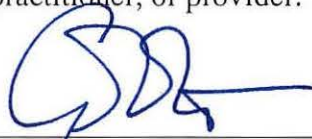
1 submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the
2 notice; and

3 WHEREAS, Neil Alan Van Dyck did not submit a written request for hearing within ten (10)
4 calendar 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 Neil Alan Van Dyck is hereby suspended from participating
11 in the workers' compensation system as a physician, practitioner, or provider.

12 Date: July 7, 2017

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15 GEORGE PARISOTTO
16 Acting Administrative Director
17 Division of Workers' Compensation
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