

1
2
3
4
5
6
7
8
9

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

In Re: PROVIDER SUSPENSION

ATLAS DIAGNOSTIC SERVICES, INC.,

Respondent.

ORDER OF SUSPENSION

10
11
12

WHEREAS, Labor Code section 139.21(a)(1)(D) requires the Administrative Director to suspend any entity controlled by an individual who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A); and

13
14
15
16
17
18
19

WHEREAS, Atlas Diagnostic Services, Inc., is controlled by an individual, Anna Vishnevsky, who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A). (Per Labor Code section 139.21(a)(3), an entity is controlled by an individual if (1) the individual is or was an officer or director of the entity, (2) is or was a shareholder with a 10 percent or greater interest in the entity, or (3) held de facto ownership of the entity or de facto control consistent with the rights and duties of an officer or director of the entity (see *Villanueva v. Teva Foods* (2019) WCAB Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision]); and

20
21
22
23

WHEREAS, on or about November 29, 2022, the Administrative Director mailed to Atlas Diagnostic Services, Inc., 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

24
25
26
27
28

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 Atlas Diagnostic Services, Inc., that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Atlas Diagnostic Services, Inc., submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

1 WHEREAS, Atlas Diagnostic Services, Inc., did not submit a written request for hearing
2 within ten (10) calendar days of the date of mailing of the notice; and

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

8 **IT IS HEREBY ORDERED** that Atlas Diagnostic Services, Inc., is hereby suspended
9 from participating in the workers' compensation system as a physician, practitioner, or
10 provider.

11
12 Date: January 11, 2023

12 /S/ George Parisotto
13 GEORGE PARISOTTO
14 Administrative Director
15 Division of Workers' Compensation