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

In Re: PROVIDER SUSPENSION
DAVID BARCLAY DOWLING,

ORDER OF SUSPENSION

Respondent.

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 if the individual has been suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

WHEREAS, Respondent David Barclay Dowling was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

WHEREAS, Labor Code section 139.21(a)(1)(C) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the workers' compensation system as a physician, practitioner or whose license, certification or approval to provide health care services has been surrendered or revoked; and

WHEREAS, on or about November 14, 2022, David Barclay Dowling's license, certification, or approval to provide health care services was surrendered or revoked by the Dental Board of California, Department of Consumer Affairs; and

WHEREAS, on or about August 8, 2023, the Administrative Director mailed to David Barclay Dowling 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 David Barclay Dowling that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless David Barclay Dowling submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

WHEREAS, David Barclay Dowling 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 California Code of Regulations, title 8, 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 mail of the notice;

**IT IS HEREBY ORDERED** that Respondent David Barclay Dowling is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: December 12, 2023 /S/ George Parisotto

GEORGE PARISOTTO
Administrative Director
Division of Workers' Compensation