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

In Re: PROVIDER SUSPENSION
JOHN GARBINO,
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 June 26, 2017, John Garbino 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, Central District of California; and

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WHEREAS, on or about August 10, 2018, the Administrative Director mailed to John Garbino 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 John Garbino that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless John Garbino submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

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

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WHEREAS, the Administrative Director is required to suspend any physician, practitioner, or provider pursuant to Labor Code section 139.21 and Title 8, California Code of Regulations section 9788.2, after thirty (30) days from the date the notice was mailed, unless the physician, practitioner, or

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

3 **IT IS HEREBY ORDERED** that John Garbino is hereby suspended from participating in the
4 workers' compensation system as a physician, practitioner, or provider.

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6 Date: September 21, 2018



7 GEORGE PARISOTTO
8 Administrative Director
9 Division of Workers' Compensation

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