

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

In Re: PROVIDER SUSPENSION

WESLEY HARLAN KINGSBURY,

Respondent.

ORDER OF SUSPENSION

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

WHEREAS, on or about February 9, 2015, Wesley Kingsbury 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

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

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

WHEREAS, on or about June 22, 2018, the Administrative Director mailed to Wesley Kingsbury 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 Wesley Kingsbury that the suspension would start

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

3 WHEREAS, Wesley Kingsbury 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 Wesley Kingsbury is hereby suspended from participating in
11 the workers' compensation system as a physician, practitioner, or provider.

12 Date: July 25, 2018



13 GEORGE PARISOTTO
14 Administrative Director
15 Division of Workers' Compensation
16
17
18
19
20
21
22
23
24
25
26
27
28