

1
2
3
4
5
6
7
8

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

In Re: PROVIDER SUSPENSION

ROBERT LaMATTINA,

Respondent.

ORDER OF SUSPENSION

9
10
11
12

Labor Code section 139.21(a)(1)(A) requires the Administrative Director of the Division of Workers' Compensation 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).

13
14
15
16

On or about December 16, 2022, Respondent Robert LaMattina (LaMattina) 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.

17
18
19
20

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.

21
22

On or about February 9, 2023, Respondent LaMattina was suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs.

23
24
25
26

On or about May 24, 2023, the Administrative Director mailed to Respondent LaMattina 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.

27
28

Pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations, title 8, section 9788.1(d), the written notice advised Respondent LaMattina that the suspension would start thirty (30) calendar days after the date of mailing of written

1 notice, unless Respondent LaMattina submitted a written request for a hearing within
2 ten (10) calendar days of the date of mailing of the notice.

3 By letter dated June 2, 2023, Respondent LaMattina requested by e-mail and
4 letter that he not be suspended under Labor Code section 139.21(a)(1)(A) and (B). On
5 or about June 2, 2023, the Administrative Director, by Notice of Hearing and
6 Designation of Hearing Officer, scheduled a hearing on the suspension for June 27,
7 2023. The hearing was subsequently continued to July 11, 2023.

8 By letter dated July 7, 2023, Respondent LaMattina withdrew his request for a
9 suspension and requested that the July 11th hearing be taken off calendar.

10 The Administrative Director is required to suspend any physician, practitioner, or
11 provider pursuant to Labor Code section 139.21 and California Code of Regulations,
12 title 8, section 9788.2, after thirty (30) days from the date the notice was mailed, unless
13 the physician, practitioner, or provider submits a written request for a hearing within ten
14 (10) calendar days of the date of mailing of the notice. As Respondent La Mattina has
15 withdrawn his request for a hearing,

16 **IT IS HEREBY ORDERED** that Respondent Robert La Mattina is hereby
17 suspended from participating in the California workers' compensation system as a
18 physician, practitioner, or provider.

19
20 Date: August 1, 2023

21 /S/George Parisotto

22 _____
23 George P. Parisotto
24 Administrative Director
25 Division of Workers' Compensation
26
27
28