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

In Re: PROVIDER SUSPENSION **MONTGOMERY CHIROPRACTIC, INC.,** **Respondent.**	**ORDER OF SUSPENSION**

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

WHEREAS, Respondent Montgomery Chiropractic, Inc., is controlled by an individual, Curtis W. Montgomery, 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 directory of the entity (see *Villanueva v. Teva Foods* (2019) WCAB Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision].); and

WHEREAS, on or about December 22, 2022 the Administrative Director mailed to Montgomery Chiropractic, 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

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

WHEREAS, Montgomery Chiropractic, Inc., 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 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 provider submits a written request for a hearing within ten (10) calendar days of the date of mailing of the notice;

IT IS HEREBY ORDERED that Montgomery Chiropractic, Inc., is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: February 23, 2023

/S/ George Parisotto
George Parisotto
Administrative Director
Division of Workers' Compensation