

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
OM PROFESSIONAL SERVICES,
Respondent.**

ORDER OF SUSPENSION

9
10
11
12
13

Labor Code section 139.21(a)(1)(D) requires the Administrative Director of the Division of Workers' Compensation (Administrative Director) to suspend any entity from participating in the California workers' compensation system as a physician, practitioner, or provider if the entity controlled by an individual who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A).

14
15
16
17
18
19
20
21
22

Labor Code section 139.21(a)(1)(A) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the California workers' compensation system as a physician, practitioner, or provider if the individual or entity has been convicted of any felony or misdemeanor and that crime either: (1) involves fraud or abuse of the federal Medicare or Medicaid programs, the Medi-Cal program, or the workers' compensation system, or fraud or abuse of any patient; (2) relates to the conduct of the individual's medical practice as it pertains to patient care; or (3) is a financial crime that relates to the federal Medicare or Medicaid programs, the Medi-Cal program, or the workers' compensation system.

23
24
25
26
27
28

Labor Code section 139.21(a)(3) provides that an entity is controlled by an individual if the individual: (1) 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 director of the entity. (See Villanueva v. Teva Foods (2019) WCAB Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision].)

1 On or about November 15, 2021, Shilpa Kapadia, an individual, was convicted in
2 the Superior Court of the State of California, County of Riverside, of a crime described
3 in Labor Code section 139.21(a)(1)(A). (People v. Kapadia et al., Case No.
4 RIF2104842.)

5 On or about November 15, 2021, Alpa Craig Brown, an individual, was convicted
6 in the Superior Court of the State of California, County of Riverside, of a crime
7 described in Labor Code section 139.21(a)(1)(A). (People v. Brown et al., Case No.
8 RIF2104842.)

9 Respondent OM Professional Services is controlled by Shilpa Kapadia and Alpa
10 Craig Brown pursuant to Labor Code section 139.21(a)(3).

11 On or about November 10, 2022, the Administrative Director mailed to
12 Respondent OM Professional Services a written notice of the right to a hearing
13 regarding the suspension and the procedure to follow to request a hearing, as provided
14 in Labor Code section 139.21(b)(2) and California Code of Regulations, title 8, section
15 9788.1.

16 Pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations,
17 title 8, section 9788.1(d), the written notice advised Respondent OM Professional
18 Services that the suspension would start thirty (30) calendar days after the date of
19 mailing of written notice, unless Respondent OM Professional Services submitted a
20 written request for a hearing within ten (10) calendar days of the date of mailing of the
21 notice.

22 Respondent OM Professional Services did not submit a written request for
23 hearing within ten (10) calendar days of the date of mailing of the notice.

24 The Administrative Director is required to suspend any physician, practitioner, or
25 provider pursuant to Labor Code section 139.21 and California Code of Regulations,
26 title 8, section 9788.2, after thirty (30) days from the date the notice was mailed, unless
27 the physician, practitioner, or provider submits a written request for a hearing within ten
28 (10) calendar days of the date of mailing of the notice.

1 **IT IS HEREBY ORDERED** that Respondent OM Professional Services is hereby
2 suspended from participating in the California workers' compensation system as a
3 physician, practitioner, or provider.

4
5 Date: December 20, 2022

/S/ George P. Parisotto

6 _____
7 George P. Parisotto
8 Administrative Director
9 Division of Workers' Compensation
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28