

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

In Re: PROVIDER SUSPENSION

EGISTO SALERNO,

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 October 26, 2020, Respondent Egisto Salerno 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, Southern 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 who has been suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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

WHEREAS, Labor Code section 139.21(a)(1)(C) requires the Administrative Director to suspend any physician, practitioner, or provider from participating in the workers'

1 compensation system as a physician, practitioner, or provider whose license, certification,
2 or approval to provide health care services has been surrendered or revoked; and

3 WHEREAS, on or about May 25, 2018, Egisto Salerno's license, certification, or
4 approval to provide health care services was surrendered or revoked by the Medical Board
5 of California, Department of Consumer Affairs; and

6 WHEREAS, on or about November 15, 2023, the Administrative Director mailed to
7 Egisto Salerno a written notice of the right to a hearing regarding the suspension and the
8 procedure to follow to request a hearing, as provided in Labor Code section 139.21(b)(2)
9 and California Code of Regulations, title 8, section 9788.1; and

10 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of
11 Regulations, title 8, section 9788.1(d), the written notice advised Egisto Salerno that the
12 suspension would start thirty (30) calendar days after the date of mailing of written notice,
13 unless Egisto Salerno submitted a written request for a hearing within ten (10) calendar
14 days of the date of mailing of the notice; and

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

17 WHEREAS, the Administrative Director is required to suspend any physician,
18 practitioner, or provider pursuant to Labor Code section 139.21 and California Code of
19 Regulations, title 8, section 9788.2, after thirty (30) days from the date the notice was
20 mailed, unless the physician, practitioner, or provider submits a written request for a
21 hearing within ten (10) calendar days of the date of mailing of the notice;

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

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7 Date: February 1, 2024

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

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