

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

In Re: PROVIDER SUSPENSION

ORDER OF SUSPENSION

PHONG HUNG TRAN,

Respondent.

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);

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 if the individual has been suspended, due to fraud or abuse, from the Federal Medicare or Medicaid programs or the Medi-Cal program described in Labor Code section 139.21(a)(1)(B); and

WHEREAS, on or about August 29, 2018, Phong Hung Tran 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, on or about June 1, 2016 you were suspended, due to fraud or abuse, from participation in the federal Medicare or Medicaid programs as described in Labor Code section 139.21(a)(1)(B); and

WHEREAS, on or about September 18, 2021, the Administrative Director mailed to Phong Hung Tran 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 Phong Hung Tran that the suspension would start thirty (30) calendar days after the date of mailing of written notice, unless Phong Hung Tran submitted a written request for a hearing within ten (10) calendar days of the date of mailing of the notice; and

WHEREAS, Phong Hung Tran 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 Phong Hung Tran is hereby suspended from participating in the workers' compensation system as a physician, practitioner, or provider.

Date: October 8, 2021

/S/ George Parisotto

GEORGE PARISOTTO

Administrative Director

Division of Workers' Compensation