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

In Re: PROVIDER SUSPENSION

ORDER OF SUSPENSION

**JAMES EDMOND DALY,
Respondent.**

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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

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WHEREAS, on or about April 13, 2005, Respondent James Edmond Daly (James Daly) 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 Superior Court of California, County of Monterey; and

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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 who has been suspended, due to fraud or abuse, from the federal Medicare or Medicaid programs; and

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

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

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WHEREAS, on or about February 24, 2006, James Daly's license, certification or approval to provide health care services was surrendered or revoked by the Osteopathic Medical Board of California, Department of Consumer Affairs; and

1 WHEREAS, on or about December 22, 2022, the Administrative Director mailed to
2 James Daly a written notice of the right to a hearing regarding the suspension and the
3 procedure to follow to request a hearing, as provided in Labor Code section 139.21(b)(2) and
4 California Code of Regulations, title 8, section 9788.1; and

5 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of
6 Regulations, title 8, section 9788.1(d), the written notice advised James Daly that the
7 suspension would start thirty (30) calendar days after the date of mailing of written notice,
8 unless James Daly submitted a written request for a hearing within ten (10) calendar days of
9 the date of mailing of the notice; and

10 WHEREAS, James Daly did not submit a written request for hearing within ten (10)
11 calendar days of the date of mailing of the notice; and

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

17 **IT IS HEREBY ORDERED** that James Daly is hereby suspended from participating in
18 the workers' compensation system as a physician, practitioner, or provider.

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21 Date: February 23, 2023

22 /S/ George Parisotto
23 George Parisotto
24 Administrative Director
25 Division of Workers' Compensation
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