

1
2
3
4
5
6
7
8
9

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

In Re: PROVIDER SUSPENSION

KENNETH DEAN PENSE,

Respondent.

ORDER OF SUSPENSION

10
11
12
13
14

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

15
16
17

WHEREAS, on or about June 14, 2017, Kenneth Pense's license, certification or approval to provide health care services was surrendered or revoked by the California Board of Behavioral Sciences, Department of Consumer Affairs; and

18
19
20
21

WHEREAS, on or about September 20, 2019, the Administrative Director mailed to Kenneth Pense 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

22
23
24
25

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

26
27

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

28

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

1 Regulations section 9788.2, after thirty (30) days from the date the notice was mailed, unless
2 the physician, practitioner, or provider submits a written request for a hearing within ten (10)
3 calendar days of the date of mailing of the notice;

4 **IT IS HEREBY ORDERED** that Kenneth Pense is hereby suspended from participating
5 in the workers' compensation system as a physician, practitioner, or provider.

6
7 Date: November 14, 2019

8 
9 _____
10 GEORGE PARISOTTO
11 Administrative Director
12 Division of Workers' Compensation
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28