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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

TOMAS BALLESTROS RIOS,
Respondent.

10 WHEREAS, Labor Code section 139.21(a)(1)(A) requires the Administrative Director to
11 suspend any physician, practitioner, or provider from participating in the workers' compensation system
12 as a physician, practitioner, or provider if the individual has been convicted of any felony or
13 misdemeanor described in Labor Code section 139.21(a)(1)(A); and

14 WHEREAS, on or about November 5, 2014, Tomas Ballesteros Rios pled guilty to or was found
15 guilty of one or more felonies or misdemeanors described in Labor Code section 139.21(a)(1)(A) in the
16 Superior Court of California, County of Kern; and

17 WHEREAS, on or about July 30, 2007, Tomas Ballesteros Rios pled guilty to or was found
18 guilty of one or more felonies or misdemeanors described in Labor Code section 139.21(a)(1)(A) in the
19 United States District Court of California, Eastern District of California; and

20 WHEREAS, Labor Code section 139.21(a)(1)(B) requires the Administrative Director to
21 suspend any physician, practitioner, or provider from participating in the workers' compensation system
22 as a physician, practitioner, or provider who has been suspended, due to fraud or abuse, from the federal
23 Medicare or Medicaid programs; and

24 WHEREAS, Tomas Ballesteros Rios was suspended, due to fraud or abuse, from the federal
25 Medicare or Medicaid programs; and

26 WHEREAS, on or about January 24, 2019, the Administrative Director mailed to Tomas
27 Ballesteros Rios a written notice of the right to a hearing regarding the suspension and the procedure to
28 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

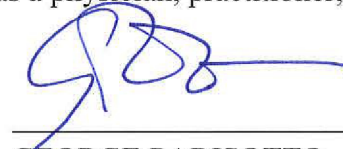
1 WHEREAS, pursuant to Labor Code section 139.21(b)(2) and California Code of Regulations,
2 title 8, section 9788.1(d), the written notice advised Tomas Ballesteros Rios that the suspension would
3 start thirty (30) calendar days after the date of mailing of written notice, unless Tomas Ballesteros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

6 WHEREAS, Tomas Ballesteros Rios did not submit a written request for hearing within ten (10)
7 calendar days of the date of mailing of the notice; and

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

13 **IT IS HEREBY ORDERED** that Tomas Ballesteros Rios is hereby suspended from
14 participating in the workers' compensation system as a physician, practitioner, or provider.

15 Date: February 25, 2019



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17 GEORGE PARISOTTO
18 Administrative Director
19 Division of Workers' Compensation
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