

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

In Re: PROVIDER SUSPENSION

ALCALA PHARMACEUTICAL INC.,

Respondent.

ORDER OF SUSPENSION

WHEREAS, Labor Code section 139.21(a)(1)(D) requires the Administrative Director to suspend any entity controlled by and individual who has been convicted of a felony or misdemeanor described in Labor Code section 139.21(a)(1)(A); and

WHEREAS, Respondent Alcala Pharmaceutical Inc. is controlled by an individual, David Smith, who has been convicted of a felony or misdemeanor described in Labor Code section 139.219(a)(1)(A) (Pursuant to Labor Code section 139.21(a)(3), an entity is controlled by an individual if: (1) the individual is or was an officer or director of the entity; (2) the individual is or was a shareholder with a 10 percent or greater interest in the entity, or (3) the individual held de facto ownership of the entity or de facto control consistent with the right and duties of an officer or director of the entity. See *Villanueva v. Teva Foods* (2019) WCAB Case No. ADJ9332041, 84 Cal. Comp. Cases 198 [significant panel decision].); and

WHEREAS, on or about May 21, 2025, the Administrative Director mailed to Alcala Pharmaceutical Inc. 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 Alcala Pharmaceutical Inc.

1 that the suspension would start thirty (30) calendar days after the date of mailing of written
2 notice, unless Alcala Pharmaceutical Inc. submitted a written request for a hearing within
3 ten (10) calendar days of the date of mailing of the notice; and

4 WHEREAS, Alcala Pharmaceutical Inc. did not submit a written request for hearing
5 with in ten (10) calendar days of the date of mailing of the notice; and

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

11 **IT IS HEREBY ORDERED** that Respondent Alcala Pharmaceutical Inc. is hereby
12 suspended from participating in the workers' compensation system as a physician,
13 practitioner, or provider.

14
15 Date: September 10, 2025

/s/ George P. Parisotto

George P. Parisotto

Administrative Director

Division of Workers' Compensation