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Title 22@ Social Security

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Division 3@ Health Care Services

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Subdivision 1@ California Medical Assistance Program

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Chapter 3@ Health Care Services

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Article 6@ Eligibility for Payment

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Section 51458@ Cause for Suspension

51458 Cause for Suspension

(a)

The conviction of a provider of either (1) a felony, or (2) any offense, misdemeanor or felony, involving moral turpitude shall be grounds for suspension from participation in the California Medical Assistance Program. The record of such conviction shall be conclusive evidence of the fact that the conviction occurred. The Department may inquire into the circumstances surrounding the commission of the crime in order to determine if such conviction was of an offense involving moral turpitude and suspension is warranted. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony, or any offense involving moral turpitude, shall be deemed to be a conviction within the meaning of this section.

(b)

The Department may suspend a provider from the program based upon a judgment of conviction regardless of whether the provider obtains a subsequent order under the provisions of section 1203.4 of the Penal Code allowing him to withdraw his plea of guilty, and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the information or indictment.

(c)

Suspension of a provider of service from participation in the Medicare program shall be grounds for suspension of that provider from participation in the Medi-Cal

Program.

(d)

The suspension or revocation of a provider's license, certification, permit or registration or the failure to obtain such license, certification permit or registration shall be grounds for suspension from participation in the California Medical Assistance program, when such license, certification, permit or registration is required for program participation in accordance with article 3.