

1 BEFORE THE BOARD OF MEDICAL EXAMINERS

2 IN THE STATE OF ARIZONA

3 In the Matter of

4 **JOE T. HAYASHI, M.D.**

5 Holder of License No. 12865
6 For the Practice of Medicine
7 In the State of Arizona.

Board Case No. MD-00-0559

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

(Letter of Reprimand & Probation)

8 On January 15, 2002, Joe T. Hayashi, M.D., ("Respondent") appeared before a
9 Review Committee of the Arizona Board of Medical Examiners ("Board") without legal
10 counsel, for a formal interview pursuant to the authority vested in the Review Committee
11 by A.R.S. § 32-1451(Q). The matter was referred to the Board for consideration at its
12 public meeting on March 6, 2001. After due consideration of the facts and law applicable
13 to this matter, the Board voted to issue the following findings of fact, conclusions of law
14 and order.
15

16 **FINDINGS OF FACT**

17 1. The Board is the duly constituted authority for the regulation and control of
18 the practice of allopathic medicine in the State of Arizona.

19 2. Respondent is the holder of License No. 12865 for the practice of medicine
20 in the State of Arizona.

21 3. The Board initiated case number MD-00-0559 after receiving a complaint
22 regarding Respondent's care and treatment of a patient ("Patient").
23
24
25

1 4. Respondent performed Patient's annual physical from 1992 through 1995.
2 The annual physical included blood tests and urinalysis.

3 5. In his complaint, Patient indicated that after undergoing the 1995 physical
4 Respondent informed him that he was in perfect health. Patient then decided in March
5 1995, of his own accord, that he preferred to be treated at Mayo Clinic Scottsdale
6 ("Mayo"). A physician at Mayo informed Patient that platelet count was dangerously high
7 and that a slight increase could cause a stroke. The physician diagnosed Patient's
8 condition as thrombocythemia and prescribed medication. Patient has been compliant
9 with the Mayo physician's instructions and Patient's platelet count is now in the normal
10 range.

11 6. At the formal interview, Respondent testified that, although Patient's 1992
12 platelet count was elevated, he did not take the elevated count into consideration.

13 7. Respondent also testified that he had no record in his notes that he
14 addressed the elevated platelet count after completing Patient's 1993 physical.

15 8. Patient's 1993 chart contains a note by Respondent that Patient's objective
16 lab results were all within normal limits.

17 9. Respondent testified that he believed he overlooked the platelet count.

18 10. In response to a query from the Board, Respondent testified that he did not
19 have a cross-check system in place in his practice for following laboratory test results.

20 11. Respondent claimed that he told Patient of the elevated platelet count, but
21 there is no documentation that he did so.

22 12. Respondent testified that he saw a note on the bottom of the 1995
23 laboratory report that read "Thrombocytosis is confirmed on review. Significant platelet
24 counts over 650,000 may be primarily reactive." The laboratory report went on to discuss
25 the risk for thromboembolic events.

1 be divided into 15 hours of medical record keeping and 25 hours of normal/abnormal
2 laboratory values and clinical decision making as a result of testing and interpretation.
3 Respondent shall provide Board staff with satisfactory proof of attendance. The CME
4 hours shall be in addition to the hours required for biennial renewal of Respondent's
5 medical license.

6 (b). Two years after the effective date of this Order, Board Staff will conduct a
7 chart review in the Respondent's office. If the issues resulting in the above-determined
8 statutory violation have been resolved, the Executive Director may terminate the
9 Probation.

10 **RIGHT TO PETITION FOR REVIEW**

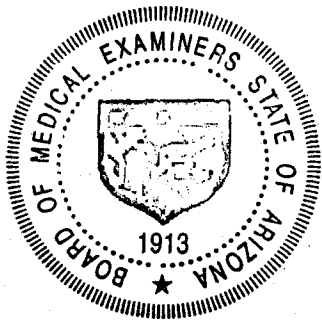
11 Respondent is hereby notified that he has the right to petition for a rehearing.
12 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed
13 with the Board's Executive Director within thirty (30) days after service of this Order and
14 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a
15 rehearing. Service of this order is effective five (5) days after date of mailing. If a motion
16 for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it
17 is mailed to Respondent.

18 Respondent is further notified that the filing of a motion for rehearing is required to
19 preserve any rights of appeal to the Superior Court.

20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DATED this 16th day of March, 2002.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

By Claudia Foutz
CLAUDIA FOUTZ
Executive Director
TOM ADAMS
Deputy Director

ORIGINAL of the foregoing filed this
7th day of MARCH, 2002 with:

The Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

Executed copy of the foregoing
mailed by U.S. Certified Mail this
7th day of MARCH, 2002, to:

Joe T. Hayashi, M.D.
Horizon Medical Center
14510 West Granite Valley Drive
Suite 200
Sun City West, Arizona 85375-5796

Copy of the foregoing hand-delivered this
7th day of MARCH, 2002, to:

Christine Cassetta
Assistant Attorney General
Sandra Waitt, Management Analyst
Lynda Mottram, Compliance Officer
Lisa Maxie-Mullins, Legal Coordinator (Investigation File)
Arizona Board of Medical Examiners
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

John Joseph