

1 BEFORE THE BOARD OF MEDICAL EXAMINERS
2
3 IN THE STATE OF ARIZONA

4 In the Matter of

5 **WALLACE KENJI NAKAGAWA, M.D.**

6 Holder of License No. **20760**
7 For the Practice of Medicine
8 In the State of Arizona.

**CASE NOS. MD-00-0077
MD-01-0114**

**INTERIM FINDINGS OF FACT,
CONCLUSIONS OF LAW AND ORDER
FOR SUMMARY SUSPENSION OF
LICENSE**

9
10 **INTRODUCTION**

11 The above-captioned matter came on for discussion before the Arizona Board of
12 Medical Examiners ("Board") on June 22, 2001, and after reviewing relevant information
13 and deliberating, the Board voted to consider summary suspension proceedings. The
14 Board considered summary suspension and following the review of information obtained,
15 pursuant to A.R.S. § 32-1451 and A.R.S. § 32-1452, and having considered the
16 information in the matter and being fully advised, the Board enters the following Interim
17 Findings of Fact, Conclusions of Law and Order for Summary Suspension of License,
18 pending formal hearings or other Board action.

19 **INTERIM FINDINGS OF FACT**

20 1. The Board is the duly constituted authority for the regulation and control of the
21 practice of allopathic medicine in the State of Arizona, pursuant to A.R.S. § 32-1401, et
22 seq.

23 2. Wallace Kenji Nakagawa, M.D. is the holder of License No. 20760, for the practice
24 of medicine in the State of Arizona.
25

1 3. On November 3, 2000, after an investigation into the competency of Dr. Nakagawa,
2 the Board issued an Interim Order that within six months of the date of the Order, Dr.
3 Nakagawa be evaluated by the Post Licensure Assessment System ("PLAS") offered by
4 the Federation of State Medical Boards.

5 4. Dr. Nakagawa admitted that as of June 22, 2001 he had not been evaluated by
6 PLAS.

7 5. In January of 2001, Dr. Nakagawa was suspended from the staff of Northern
8 Cochise Community Hospital for failing to complete medical records timely. On May 17,
9 2001 Northern Cochise Community Hospital revoked Dr. Nakagawa's privileges for failure
10 to complete medical records timely and for failure to comply with terms of a probation
11 order.

12 6. An investigation by Board Staff revealed that Dr. Nakagawa has not been following
13 his current acute care and long-term care patients at Northern Cochise Community
14 Hospital.

15 7. A Board ordered psychiatric evaluation has indicated problems that would interfere
16 with Dr. Nakagawa's ability to mentally and physically practice medicine.

17 8. Based upon the foregoing, the Board finds that it has been presented with sufficient
18 substantial and reliable information concerning the professional conduct of Dr. Nakagawa
19 to conclude that, pending formal administrative hearing, the public health, safety and
20 welfare imperatively requires emergency action by the Board against Dr. Nakawaga's
21 license to practice medicine in the State of Arizona.

22 **INTERIM CONCLUSIONS OF LAW**

23 1. The Board possesses jurisdiction over the subject matter hereof and over Wallace
24 Kenji Nakagawa, M.D., holder of License No. 20760, for the practice of allopathic medicine
25 in the State of Arizona, pursuant to A.R.S. § 32-1401.

1 later than sixty (60) days from the date of the issuance of this order, unless stipulated and
2 agreed otherwise by Dr. Nakagawa.

3 DATED this 25 day of June, 2001.

4 BOARD OF MEDICAL EXAMINERS
5 OF THE STATE OF ARIZONA

6 (SEAL)

7 By: Tom Adams

8 CLAUDIA FOUTZ
9 Executive Director
10 TOM ADAMS
11 Deputy Director

12 ORIGINAL of the foregoing filed this
13 25 day of June, 2001, with:

14 The Arizona Board of Medical Examiners
15 9545 E. Doubletree Ranch Road
16 Scottsdale, AZ 85258

17 Executed copy of the foregoing mailed by Certified
18 Mail this 25 day of June, 2001, to:

19 Wallace Kenji Nakagawa
20 903 North Bowie
21 Willcox, Arizona 85643

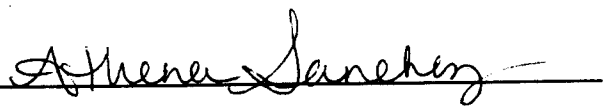
22 Executed copy of the foregoing mailed
23 this 25 day of June, 2001 to:

24 Dwayne Ross
25 Robbins & Green PA
3300 North Central Avenue
Suite 1800
Phoenix, Arizona 85012-2518

Executed copy of the foregoing delivered via
interoffice mail this 25 day of June, 2001, with:

1 M. Elizabeth Burns
Assistant Attorney General
2 Arizona Attorney General Office
1275 West Washington
3 Phoenix, AZ 85007

4 Christine Cassetta
Assistant Attorney General
5 Arizona Board of Medical Examiners
9545 E. Doubletree Ranch Road
6 Scottsdale, AZ 85258
7 Counsel to the Board

8
9 A horizontal line is drawn across the signature.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25