

BEFORE THE BOARD OF MEDICAL EXAMINERS

IN THE STATE OF ARIZONA

In the Matter of

**WALLACE K. NAKAGAWA, M.D.**

Board Case Number: MD-02-0213A

**ORDER REVOKING LICENSE  
NUMBER 20760.**

Holder of License No. 20760  
For the Practice of Medicine  
In the State of Arizona.

This matter was considered by the Arizona Board of Medical Examiners ("Board") at its public meeting on August 7, 2002. On November 7, 2001 the Board and Wallace K. Nakagawa, M.D. ("Respondent") entered into a Consent Agreement ("Agreement") regarding case numbers MD-00-0707 and MD-01-0114 revoking Respondent's license, however revocation was stayed and Respondent was immediately suspended. The Agreement provided that Respondent, within 60 days of the effective date, was to submit to comprehensive psychological and psychiatric evaluations to determine whether he was mentally or physically able to practice. The Agreement also required Respondent, within 90 days, to enroll in the Post Licensure Assessment System ("PLAS") for evaluation.

The Agreement provided that the Board had sole, complete, and absolute discretion to determine whether Respondent violated any of its terms and that any Board-determined violation of the Agreement would cause the stay on revocation to be lifted and Respondent's license to be immediately revoked. The Agreement provided that Respondent unequivocally and absolutely relinquished and waived all rights before any administrative, state or federal court of competent jurisdiction to rehear, review, reconsider, appeal or any

1 other type of administrative and/or judicial action concerning the Board's determination that  
2 Respondent violated the Consent Agreement.

3 Pursuant to the Agreement, Respondent's only opportunity to present information to  
4 the Board that he had not violated the Agreement was in the form of a discussion with the  
5 Board on the alleged violation(s). The Board opened case number MD-02-0213A to  
6 investigate the potential violations of the Agreement. Respondent was given written  
7 notification of the alleged violations and informed that the Board would discuss the alleged  
8 violation with Respondent at its August 7, 2002 meeting. Respondent did not appear at the  
9 meeting. The Board was presented with evidence that, as of August 7, 2002, Respondent  
10 had not undergone the required psychological/psychiatric evaluations or the PLAS  
11 assessment.  
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14 After due consideration of the facts and law applicable to this matter, the Board  
15 determined that Respondent had violated the terms of the Agreement in that he had not met  
16 the requirement to complete the psychological/psychiatric evaluations and the PLAS  
17 evaluation.  
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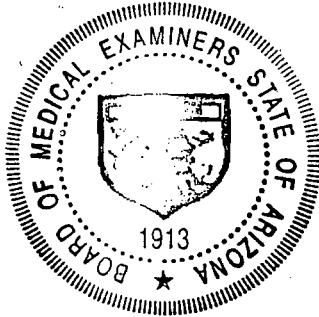
19 **ORDER**

20 IT IS HEREBY ORDERED that Respondent's License Number 20760 is revoked  
21 effective August 7, 2002.

22 **FINAL DECISION**

23 Pursuant to the terms of the Agreement, this Order is a final and non-appealable  
24 Board action.  
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1 DATED this 13<sup>th</sup> day of AUGUST, 2002.



BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF ARIZONA

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By *Barry Cassidy*  
BARRY A. CASSIDY, Ph.D, PA-C  
Executive Director

ORIGINAL of the foregoing filed this  
13<sup>th</sup> day of AUGUST, 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  
13<sup>th</sup> day of AUGUST, 2002, to:

Wallace K. Nakagawa  
723 Spyglass Lane  
Las Vegas, Nevada 89107-2048

Copy of the foregoing hand-delivered this  
13<sup>th</sup> day of AUGUST, 2002, to:

Christine Cassetta  
Assistant Attorney General  
Sandra Waitt, Management Analyst  
Lynda Mottram, Senior Compliance Officer  
Investigations (Investigation File)  
Arizona Board of Medical Examiners  
9545 East Doubletree Ranch Road  
Scottsdale, Arizona 85258

*John J. Jorgensen*