

IN AND BEFORE THE OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE AND SUPERVISION
STATE OF OKLAHOMA

FILED

FEB - 8 2024

OKLAHOMA STATE BOARD OF
MEDICAL LICENSURE & SUPERVISION

STATE OF OKLAHOMA, *ex rel.*)
OKLAHOMA STATE BOARD)
OF MEDICAL LICENSURE)
AND SUPERVISION,)

Plaintiff,)

v.)

Case No. 21-06-6018

ALAN AKIRA HASEGAWA, M.D.)
LICENSE NO. MD 17409,)

Defendant.)

VERIFIED COMPLAINT

The State of Oklahoma, *ex rel.* Oklahoma State Board of Medical Licensure and Supervision (“Board”), for its Verified Complaint against Alan Akira Hasegawa, M.D. (“Defendant”), alleges and states as follows:

I. JURISDICTION

1. The Board has jurisdiction over the subject matter and is a duly authorized agency of the State of Oklahoma empowered to license and oversee the activities of physicians and surgeons in the State of Oklahoma. 59 O.S. § 480, *et seq.* and Okla. Admin. Code 435:5-1-1 *et seq.*
2. In Oklahoma, Defendant holds medical license no. 17409.
3. The acts and omissions complained of herein were made while Defendant was licensed to practice medicine by the State of Oklahoma and occurred within the boundaries of the State of Oklahoma.

II. ALLEGATIONS OF UNPROFESSIONAL CONDUCT

4. This case was investigated in 2021. Due to difficulties in getting patient records for multiple patients, the decision was made to subpoena updated records on patients whose records were available. On or about June 26, 2023, Board staff subpoenaed updated records. Upon receiving the updated records, they were sent to an expert, Dr. Britta Ostermeyer, M.D., for review. Ultimately, Dr. Ostermeyer reviewed five (5) patient records.
5. Dr. Ostermeyer found numerous problems with each of the records demonstrating repeated treatment which fell below the standard of care. The expert determined ultimately that

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STATE OF OKLAHOMA
OF MEDICAL LICENSURE AND SUPERVISION
IN AND FOR THE OKLAHOMA STATE BOARD

STATE OF OKLAHOMA
OKLAHOMA STATE BOARD
OF MEDICAL LICENSURE
AND SUPERVISION

Plaintiff,

ALYN AKIRA HASEGAWA, M.D.
Defendant.

Defendant,

VERIFIED COMPLAINT

The State of Oklahoma ex rel Oklahoma State Board of
Professional Regulation for its Verified Complaint against Alyn
Akira Hasegawa, M.D. (hereinafter "Hasegawa") and states as follows:

I. JURISDICTION

The Board has jurisdiction over the subject matter and is a duly
constituted authority of the State of Oklahoma. The Board is
empowered to license and oversee the practice of medicine and
to discipline physicians in the State of Oklahoma. 58 O.S. § 1-101 and O.S.
Title 63, Chapter 101.

Hasegawa, Defendant, holds medical license no. 17409.

The acts and omissions complained of herein were made while Hasegawa
was practicing medicine in the State of Oklahoma and occurred within the
jurisdiction of the State of Oklahoma.

II. ALLEGATIONS OF PROFESSIONAL CONDUCT

This case was investigated in 2021. Due to difficulties in locating
Hasegawa, the Board was unable to subpoena updated records from
Hasegawa's former employer. On or about June 20, 2023, Board staff
located Hasegawa's current employer, Dr. [Name], and requested
Hasegawa's medical records. Ultimately, Dr. [Name] provided the
records.

Dr. [Name] found numerous problems with each of the records
provided, which fell below the standard of care. The expert's
report is attached to this complaint.

Very truly yours,
[Signature]

Defendant consistently and vastly fell below the standard of care for psychiatry in evaluating and treating patients. His practice gravely endangered the lives of patients. He fell below the standard of care in every category of care, including diagnosing, examining and treating.

6. There were numerous problems and disturbing trends in all of the medical records reviewed. He continued to prescribe benzodiazepines despite warnings in the charts and instances of negative results such as patient falling. In other instances, Defendant failed to keep accurate Xanax medication records. Defendant failed to either order, refer, or obtain results from prior laboratory tests and urine drug testing for all five (5) of these patients.
7. Defendant failed to elicit proper substance abuse histories from all 5 patients and, in some instances, dangerously ignored substance addictions. It appeared that Defendant did not consider that some of his patients came to him addicted to Xanax and other substances and did not diligently determine when they were.
8. For years Dr. Hasegawa commonly co-prescribed Xanax in patients who were being prescribed Opioids by outside physicians. He failed to include those outside Opioid prescriptions in his own medication list. Defendant failed to consider the dangers and complications of polypharmacy. He would prescribe very high doses of multiple drugs that would tend to counteract one another or prescribe drugs that were contraindicated. Defendant prescribed Xanax without any questions, work-up, or examinations.
9. Defendant's substandard care was not limited to prescribing. He failed to take proper DSM histories and failed to list DSM symptoms for depression and anxiety disorders. He prescribed very high dosages for several medications and prescribed them for much longer than is the standard of care. Defendant continuously and dangerously ignored serious medical conditions in his patients. He failed to obtain past medical records, failed to contact past physicians who treated such conditions in his patients, and failed to seek care coordination for patients with active medical conditions, such as grand mal seizures, heart disease, and advanced liver cirrhosis. Defendant failed to refer a patient with active suicidal ideations to a higher level of psychiatric care, thereby placing this patient at imminent risk of suicide. He also failed to refer his patients, who reported significant psychosocial stressors, medical illnesses, and/or substance abuse, to psychotherapy and/or substance abuse/addiction services. He also failed to monitor patients sufficiently when prescribing dangerous substances with known dangerous side effects.

III. VIOLATIONS

10. Based on the foregoing, Defendant is guilty of unprofessional conduct as follows:
 - a. Dishonorable or immoral conduct which is likely to deceive, defraud, or harm the public, in violation of 59 O.S. §509(8) and Okla. Admin. Code § 435:10-7-4(11).
 - b. Prescribing or administering a drug or treatment without sufficient examination and the establishment of a valid physician-patient relationship and not prescribing in a

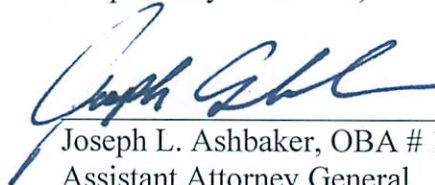
safe, medically accepted manner, in violation of 59 O.S. §509(12) and Okla. Admin. Code § 435:10-7-4(2).

- c. Prescribing, dispensing or administering of controlled substances or narcotic drugs in excess of the amount considered good medical practice, in violation of 59 O.S. §509(16)(a).
- d. Indiscriminate or excessive prescribing, dispensing or administering of Controlled or Narcotic drugs, in violation of Okla. Admin. Code § 435:10-7-4(1).
- e. Dispensing, prescribing or administering a controlled substance or narcotic drug without medical need, in violation of Okla. Admin. Code § 435:10-7-4(6).
- f. Conduct likely to deceive, defraud, or harm the public, in violation of Okla. Admin. Code § 435:10-7-4(11).
- g. Gross or repeated negligence in the practice of medicine, in violation of Okla. Admin. Code § 435:10-7-4(15).
- h. Practice or other behavior that demonstrates an incapacity or incompetence to practice medicine and surgery, in violation of Okla. Admin. Code § 435:10-7-4(18).
- i. Failure to provide a proper setting and assistive personnel for medical act, including but not limited to examination, surgery, or other treatment. Adequate medical records to support treatment of prescribing medications must be produced and maintained, in violation of Okla. Admin. Code § 435:10-7-4(41).

IV. CONCLUSION

Given the foregoing, the undersigned respectfully requests the Board conduct a hearing, and, upon proof of the allegations contained herein, impose such disciplinary action as authorized by law, up to and including suspension or revocation and any other appropriate action with respect to Defendant's professional license, including an assessment of costs and attorney's fees incurred in this action as provided by law.

Respectfully submitted,



Joseph L. Ashbaker, OBA # 19395
Assistant Attorney General
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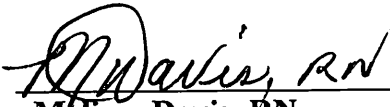
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VERIFICATION

I, Melissa Davis, RN, under penalty of perjury, under the laws of the State of Oklahoma, state as follows:

1. I have read the above Complaint regarding **ALAN AKIRA HASEGAWA, MD,**
and,
2. The factual statements contained therein are true and correct to the best of my knowledge and belief.



Melissa Davis, RN

**OKLAHOMA STATE BOARD OF MEDICAL
LICENSURE AND SUPERVISION**

Executed this 8th day of February, 2024, in Oklahoma County, State of Oklahoma.