

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

Alan Katsui Anzai, M.D.

**Physician's & Surgeon's
Certificate No G 77199**

Respondent.

Case No. 800-2018-042681

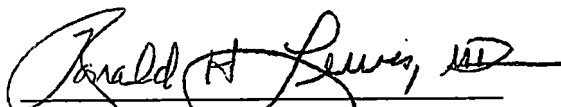
DECISION

The attached Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on July 2, 2021

IT IS SO ORDERED June 3, 2021

MEDICAL BOARD OF CALIFORNIA



**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 AARON L. LENT
Deputy Attorney General
4 State Bar No. 256857
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-7545
Facsimile: (916) 327-2247
7

8 *Attorneys for Complainant*

9

10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

14 **ALAN KATSUI ANZAI, M.D.**
15 **2345 Fair Oaks Blvd.**
Sacramento, CA 95825

16 **Physician's and Surgeon's Certificate**
17 **No. G 77199**

18 Respondent.

Case No. 800-2018-042681

OAH No. 2020100105

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPRIMAND**

19

20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22

PARTIES

23

24

25

26

27

28

1. William Prasifka (Complainant) is the Executive Director of the Medical Board of California (Board). He brought this action solely in his official capacity and is represented in this matter by Xavier Becerra, Attorney General of the State of California, by Aaron L. Lent, Deputy Attorney General.

///

///

1 2. Respondent Alan Katsui Anzai, M.D. (Respondent) is represented in this proceeding
2 by attorney Thomas E. Still, whose address is: 12901 Saratoga Avenue, Saratoga, CA 95070-
3 4110.

4 3. On or about July 30, 1993, the Board issued Physician's and Surgeon's Certificate
5 No. G 77199 to Alan Katsui Anzai, M.D. (Respondent). The Physician's and Surgeon's
6 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
7 No. 800-2018-042681, and will expire on June 30, 2021, unless renewed.

8 **JURISDICTION**

9 4. Accusation No. 800-2018-042681 was filed before the Board, and is currently
10 pending against Respondent. The Accusation and all other statutorily required documents were
11 properly served on Respondent on July 7, 2020. Respondent timely filed his Notice of Defense
12 contesting the Accusation.

13 5. A copy of Accusation No. 800-2018-042681 is attached as exhibit A and incorporated
14 herein by reference.

15 **ADVISEMENT AND WAIVERS**

16 6. Respondent has carefully read, fully discussed with counsel, and understands the
17 charges and allegations in Accusation No. 800-2018-042681. Respondent has also carefully read,
18 fully discussed with his counsel, and understands the effects of this Stipulated Settlement and
19 Disciplinary Order.

20 7. Respondent is fully aware of his legal rights in this matter, including the right to a
21 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
22 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
23 to the issuance of subpoenas to compel the attendance of witnesses and the production of
24 documents; the right to reconsideration and court review of an adverse decision; and all other
25 rights accorded by the California Administrative Procedure Act and other applicable laws.

26 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
27 every right set forth above.

28 ///

1 CULPABILITY

2 9. Respondent understands and agrees that, at an administrative hearing, Complainant
3 could establish a *prima facie* case with respect to the charges and allegations contained in
4 Accusation No. 800-2018-042681, a true and correct copy of which is attached as Exhibit A, and
5 that he has thereby subjected his Physician's and Surgeon's Certificate No. G 77199 to
6 disciplinary action.

7 10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
8 discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the
9 Disciplinary Order below.

10 RESERVATION

11 11. The admissions made by Respondent herein are only for the purposes of this
12 proceeding, or any other proceedings in which the Medical Board of California or other
13 professional licensing agency is involved, and shall not be admissible in any other criminal or
14 civil proceeding.

15 CONTINGENCY

16 12. This stipulation shall be subject to approval by the Medical Board of California.
17 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
18 Board of California may communicate directly with the Board regarding this stipulation and
19 settlement, without notice to or participation by Respondent or his counsel. By signing the
20 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
21 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
22 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
23 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
24 action between the parties, and the Board shall not be disqualified from further action by having
25 considered this matter.

26 13. The parties understand and agree that Portable Document Format (PDF) and facsimile
27 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
28 signatures thereto, shall have the same force and effect as the originals.

1 14. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
3 enter the following Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 **A. PUBLIC REPRIMAND**

6 IT IS HEREBY ORDERED that Respondent Alan Katsui Anzai, M.D., as holder of
7 Physician's and Surgeon's Certificate No. G 77199 shall be and hereby is publicly reprimanded
8 pursuant to Business and Professions Code section 2227, subdivision (a)(4) as follows:

9 "You failed to appropriately manage Patient A's, Patient B's, and Patient C's pain
10 management treatments and conduct periodic evaluations."

11 "You also failed to maintain adequate and accurate medical records."

12 **B. CLINICAL COMPETENCE ASSESSMENT PROGRAM.** Within 60 calendar

13 days of the effective date of this Decision, Respondent shall enroll in a clinical competence
14 assessment program approved in advance by the Board or its designee. Respondent shall
15 successfully complete the program not later than six (6) months after Respondent's initial
16 enrollment unless the Board or its designee agrees in writing to an extension of that time.

17 The program shall consist of a comprehensive assessment of Respondent's physical and
18 mental health and the six general domains of clinical competence as defined by the Accreditation
19 Council on Graduate Medical Education and American Board of Medical Specialties pertaining to
20 Respondent's current or intended area of practice. The program shall take into account data
21 obtained from the pre-assessment, self-report forms and interview, and the Decision(s),
22 Accusation(s), and any other information that the Board or its designee deems relevant. The
23 program shall require Respondent's on-site participation for a minimum of three (3) and no more
24 than five (5) days as determined by the program for the assessment and clinical education
25 evaluation. Respondent shall pay all expenses associated with the clinical competence
26 assessment program.

27 At the end of the evaluation, the program will submit a report to the Board or its designee
28 which unequivocally states whether the Respondent has demonstrated the ability to practice

1 safely and independently. Based on Respondent's performance on the clinical competence
2 assessment, the program will advise the Board or its designee of its recommendation(s) for the
3 scope and length of any additional educational or clinical training, evaluation or treatment for any
4 medical condition or psychological condition, or anything else affecting Respondent's practice of
5 medicine. Respondent shall comply with the program's recommendations.

6 Determination as to whether Respondent successfully completed the clinical competence
7 assessment program is solely within the program's jurisdiction.

8 If Respondent fails to enroll, participate in, or successfully complete the clinical
9 competence assessment program within the designated time period, Respondent shall receive a
10 notification from the Board or its designee to cease the practice of medicine within three (3)
11 calendar days after being so notified. The Respondent shall not resume the practice of medicine
12 until enrollment or participation in the outstanding portions of the clinical competence assessment
13 program have been completed. If the Respondent did not successfully complete the clinical
14 competence assessment program, the Respondent shall not resume the practice of medicine until a
15 final decision has been rendered on the accusation and/or a petition to revoke probation. The
16 cessation of practice shall not apply to the reduction of the probationary time period. Any
17 violation of this condition or failure to complete the program and program recommendations shall
18 be considered unprofessional conduct and grounds for further disciplinary action.

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
3 discussed it with my attorney, Thomas E. Still. I understand the stipulation and the effect it will
4 have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Medical Board of California.

7
8 DATED: 3/12/21

Alan Katsui Anzai MD
ALAN KATSUI ANZAI, M.D.
Respondent

10 I have read and fully discussed with Respondent Alan Katsui Anzai, M.D. the terms and
11 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
12 I approve its form and content.

13 DATED: 3/15/21

Thomas E. Still
THOMAS E. STILL
Attorney for Respondent

16 ENDORSEMENT

17 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
18 submitted for consideration by the Medical Board of California.

19 DATED: 3/17/2021

Respectfully submitted,

21 XAVIER BECERRA
Attorney General of California
22 STEVEN D. MUNI
Supervising Deputy Attorney General

23
24 Aaron L. Lent
AARON L. LENT
25 Deputy Attorney General
26 Attorneys for Complainant

27
28 SA2019300847
34909608.docx

Exhibit A

Accusation No. 800-2018-042681

1 XAVIER BECERRA
Attorney General of California
2 ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
3 AARON L. LENT
Deputy Attorney General
4 State Bar No. 256857
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 210-7545
Facsimile: (916) 327-2247
7

8 *Attorneys for Complainant*

9
10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA
12

13 In the Matter of the Accusation Against:

Case No. 800-2018-042681

14 **Alan Katsui Anzai, M.D.**
15 **2345 Fair Oaks Blvd.**
Sacramento, CA 95825

A C C U S A T I O N

16 **Physician's and Surgeon's Certificate**
17 **No. G 77199,**

18 Respondent.

19
20 **PARTIES**

21 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
22 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
23 (Board).

24 2. On or about July 30, 1993, the Medical Board issued Physician's and Surgeon's
25 Certificate No. G 77199 to Alan Katsui Anzai, M.D. (Respondent). The Physician's and
26 Surgeon's Certificate was in full force and effect at all times relevant to the charges brought
27 herein and will expire on June 30, 2021, unless renewed.

28 ///

JURISDICTION

1
2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code provides, in pertinent part, that a licensee who is found
6 guilty under the Medical Practice Act may have his or her license revoked, suspended for a period
7 not to exceed one year, placed on probation and required to pay the costs of probation monitoring,
8 or such other action taken in relation to discipline as the Board deems proper.

9 5. Section 2234 of the Code, states, in pertinent part:

10 “The board shall take action against any licensee who is charged with
11 unprofessional conduct. In addition to other provisions of this article, unprofessional
12 conduct includes, but is not limited to, the following:

13 “(a) Violating or attempting to violate, directly or indirectly, assisting in or
14 abetting the violation of, or conspiring to violate any provision of this chapter.

15 “(b) Gross negligence.

16 “(c) Repeated negligent acts. To be repeated, there must be two or more
17 negligent acts or omissions. An initial negligent act or omission followed by a
18 separate and distinct departure from the applicable standard of care shall constitute
19 repeated negligent acts.

20 “(1) An initial negligent diagnosis followed by an act or omission medically
21 appropriate for that negligent diagnosis of the patient shall constitute a single
22 negligent act.

23 “(2) When the standard of care requires a change in the diagnosis, act, or
24 omission that constitutes the negligent act described in paragraph (1), including, but
25 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
26 licensee’s conduct departs from the applicable standard of care, each departure
27 constitutes a separate and distinct breach of the standard of care.

28 “(d) Incompetence.

1 “(e) The commission of any act involving dishonesty or corruption that is
2 substantially related to the qualifications, functions, or duties of a physician and
3 surgeon.

4 “(f) Any action or conduct that would have warranted the denial of a certificate.

5 “(g) The repeated failure by a certificate holder, in the absence of good cause,
6 to attend and participate in an interview by the board. This subdivision shall only
7 apply to a certificate holder who is the subject of an investigation by the board.”

8 6. Unprofessional conduct under Section 2234 of the Code is conduct which breaches
9 the rules or ethical code of the medical profession, or conduct which is unbecoming to a member
10 in good standing of the medical profession, which demonstrates an unfitness to practice medicine.
11 (*Shea v. Board of Medical Examiners* (1978) Cal.App.3d 564, 575.)

12 7. Section 2242 of the Code states:

13 “(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in
14 Section 4022 without an appropriate prior examination and a medical indication,
15 constitutes unprofessional conduct. An appropriate prior examination does not
16 require a synchronous interaction between the patient and the licensee and can be
17 achieved through the use of telehealth, including, but not limited to, a self-screening
18 tool or a questionnaire, provided that the licensee complies with the appropriate
19 standard of care.

20 “(b) No licensee shall be found to have committed unprofessional conduct
21 within the meaning of this section if, at the time the drugs were prescribed, dispensed,
22 or furnished, any of the following applies:

23 “(1) The licensee was a designated physician and surgeon or podiatrist serving
24 in the absence of the patient’s physician and surgeon or podiatrist, as the case may be,
25 and if the drugs were prescribed, dispensed, or furnished only as necessary to
26 maintain the patient until the return of the patient’s practitioner, but in any case no
27 longer than 72 hours.

28 “(2) The licensee transmitted the order for the drugs to a registered nurse or to a

1 licensed vocational nurse in an inpatient facility, and if both of the following
2 conditions exist:

3 “(A) The practitioner had consulted with the registered nurse or licensed
4 vocational nurse who had reviewed the patient’s records.

5 “(B) The practitioner was designated as the practitioner to serve in the absence
6 of the patient’s physician and surgeon or podiatrist, as the case may be.

7 “(3) The licensee was a designated practitioner serving in the absence of the
8 patient’s physician and surgeon or podiatrist, as the case may be, and was in
9 possession of or had utilized the patient’s records and ordered the renewal of a
10 medically indicated prescription for an amount not exceeding the original prescription
11 in strength or amount or for more than one refill.

12 “(4) The licensee was acting in accordance with Section 120582 of the Health
13 and Safety Code.

14 8. Section 2266 of the Code states: “The failure of a physician and surgeon to maintain
15 adequate and accurate records relating to the provision of services to their patients constitutes
16 unprofessional conduct.”

17 9. Section 4021 of the Code states:

18 “ ‘Controlled substance’ means any substance listed in Chapter 2 (commencing
19 with Section 11053) of Division 10 of the Health and Safety Code.”

20 10. Section 4022 of the Code states:

21 “ ‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for
22 self-use, in humans or animals, and includes the following:

23 “(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing
24 without prescription,’ ‘Rx only,’ or words of similar import.

25 “(b) Any device that bears the statement: ‘Caution: federal law restricts this
26 device to sale by or on the order of a _____,’ ‘Rx only,’ or words of similar
27 import, the blank to be filled in with the designation of the practitioner licensed to use
28 or order use of the device.

1 “(c) Any other drug or device that by federal or state law can be lawfully
2 dispensed only on prescription or furnished pursuant to Section 4006.”

3 **PERTINENT DRUG INFORMATION**

4 11. Alprazolam – Generic name for Xanax. Alprazolam is a member of the
5 benzodiazepine family and is a short-acting medication commonly used for the short-term
6 management of anxiety disorders. Specifically panic disorder or generalized anxiety disorder,
7 Alprazolam is a Schedule IV controlled substance pursuant to Code of Federal Regulations Title
8 21 section 1308.14(c) and Health and Safety Code section 11057, subdivision (d), and a
9 dangerous drug pursuant to Business and Professions Code section 4022.

10 12. Carisoprodol – Generic name for Soma. Carisoprodol is a centrally acting skeletal
11 muscle relaxant. On January 11, 2012, carisoprodol was classified a Schedule IV controlled
12 substance pursuant to Code of Federal Regulations Title 21 section 1308.14(c). It is a dangerous
13 drug pursuant to Business and Professions Code section 4022.

14 13. Hydrocodone Bitartrate with Acetaminophen – Generic name for the drugs Vicodin,
15 Norco, and Lortab. Hydrocodone bitartrate with acetaminophen is an opioid analgesic
16 combination product used to treat moderate to moderately severe pain. Prior to October 6, 2014,
17 hydrocodone with acetaminophen was a Schedule III controlled substance pursuant to Code of
18 Federal Regulations Title 21 section 1308.13(e). On October 6, 2014, hydrocodone combination
19 products were reclassified as Schedule II controlled substances. Hydrocodone bitartrate with
20 acetaminophen is a dangerous drug pursuant to California Business and Professions Code section
21 4022 and is a Schedule II controlled substance pursuant to California Health and Safety Code
22 section 11055, subdivision (b).

23 14. Lorazepam – generic name for Ativan. Lorazepam is a member of the benzodiazepine
24 family and is a fast-acting anti-anxiety medication used for the short-term management of severe
25 anxiety. Lorazepam is a Schedule IV controlled substance pursuant to Code of Federal
26 Regulations Title 21 section 1308.14(c) and California Health and Safety Code section 11057,
27 subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.
28

1 15. Methadone Hydrochloride – Generic name for Adanon, Althose, Dolophine, and
2 Methadose. Methadone hydrochloride is a synthetic opioid with analgesic activity similar to
3 morphine and other morphine-like agents, methadone mimics the actions of endogenous peptides
4 at central nervous system (CNS) opioid receptors, primarily the mu-receptor. Methadone is a
5 Scheduled II controlled substance pursuant to Code of Federal Regulations Title 21 section
6 1308.12. It is a schedule II controlled substance pursuant to Health and Safety Code 11055,
7 subdivision (c), and a dangerous drug pursuant to Business and Professions Code section 4022.

8 16. Morphine Sulfate – Generic name for the drugs MSIR (“instant release”) and MSER
9 also known as MS Contin (“extended release”), Kadian, and MorphaBond ER . Morphine sulfate
10 is an opioid analgesic drug. It is the main psychoactive chemical in opium. Like other opioids,
11 such as oxycodone, hydromorphone, and heroin, morphine acts directly on the CNS to relieve
12 pain. Morphine is a Schedule II controlled substance pursuant to Code of Federal Regulations
13 Title 21 section 1308.12. Morphine is a Schedule II controlled substance pursuant to Health and
14 Safety Code section 11055, subdivision (b), and a dangerous drug pursuant to Business and
15 Professions Code section 4022.

16 17. Oxycodone and Acetaminophen– Generic name for Endocet and Percocet. It is an
17 opioid analgesic combination product used to treat moderate to severe pain. Oxycodone and
18 acetaminophen is a dangerous drug pursuant to California Business and Professions Code section
19 4022 and is a Schedule II controlled substance pursuant to California Health and Safety Code
20 section 11055, subdivision (b).

21 **FACTUAL ALLEGATIONS**

22 **FIRST CAUSE FOR DISCIPLINE**

23 **(Gross Negligence – Patient A and Patient B)**

24 18. Respondent Alan Katsui Anzai, M.D., has subjected his Physician’s and Surgeon’s
25 Certificate No. G 77199 to disciplinary action under sections 2227 and 2234, as defined by

26 ///

27 ///

28 ///

1 sections 2234, subdivision (b), of the Code, in that he committed gross negligence in his care and
2 treatment of Patient A and Patient B¹, as more particularly alleged hereafter:

3 Patient A

4 19. On or about September 2006, Respondent began treating Patient A for lower back
5 pain and insomnia. Respondent's treatment of Patient A continued until April 23, 2014.

6 20. On or about March 3, 2012, through May 18, 2012, Respondent prescribed Patient A
7 10 mg four times per day of methadone hydrochloride in addition to 1 mg once a day of
8 Alprazolam.

9 21. On or about July 13, 2012, through October 10, 2013, Respondent prescribed Patient
10 A 10 mg eight times per day of methadone hydrochloride in addition to 1 mg twice a day of
11 Alprazolam.

12 22. On or about June 15, 2013, through October 22, 2013, Respondent communicated
13 with Patient A via electronic mail principally regarding refilling Patient A's methadone
14 prescriptions. No in-person appointments, video conferences, or telephonic communications were
15 conducted between the Respondent and Patient A during this period of time. There is no other
16 indication documented in Patient A's medical records of Respondent periodically reviewing the
17 course of pain treatment for Patient A.

18 23. On or about June 2013 through December 2013, there is no documentation in the
19 medical records of Patient A that Respondent conducted periodic reviews of the course of pain
20 treatment for Patient A and/or made appropriate modifications of treatment based on Patient A's
21 progress or lack of progress.

22 24. On or about June 2013 through December 2013, there is no documentation in the
23 medical records of Patient A that Respondent performed a physical examination and/or took a
24 medical history of Patient A.

25 ///

26 ///

27 ¹ To protect the privacy of the patients, the patients' names and information were not
28 included in this pleading. Respondent is aware of Patient A's, Patient B's and Patient C's
identities. All witnesses will be fully identified in discovery.

1 25. On or about June 2013 through December 2013, there is no documentation of a stated
2 objective(s) and/or treatment plan in Respondent's medical records of Patient A as to the care and
3 treatment of Patient A.

4 26. On or about June 2013 through December 2013, there is no documentation that
5 Respondent discussed the risks and benefits of the use of controlled substances with other
6 treatment modalities with Patient A.

7 Patient B

8 27. On or about April 2010, Respondent began treating Patient B for back and knee pain.

9 28. On or about February 18, 2011, through March 29, 2017, Respondent prescribed
10 Patient B 325 mg/10 mg tab eight times per day of hydrocodone bitartrate-acetaminophen.

11 29. On or about December 14, 2012, Respondent prescribed Patient B 60 mg two times
12 per day of morphine sulfate.

13 30. On or about January 28, 2013, through March 29, 2017, Respondent prescribed
14 Patient B 60 mg six times per day of morphine sulfate.

15 31. On or about March 2, 2012, through February 20, 2014, Respondent prescribed
16 Patient B 350 mg tab four times per day of carisoprodol.

17 32. On or about June 2013 through July 2017, there is no documentation in the medical
18 records of Patient B that Respondent conducted periodic reviews of the course of pain treatment
19 for Patient B and/or made appropriate modifications of treatment based on Patient B's progress or
20 lack of progress.

21 33. On or about June 2013 through July 2017, there is no documentation in the medical
22 records of Patient B that Respondent performed a complete physical examination and/or took a
23 medical history of Patient B which includes, but not limited to, an assessment of Patient B's pain,
24 Patient B's physical and psychological status and function, substance abuse history, history of
25 prior pain treatments, assessment of any underlying or co-existing conditions, and documentation
26 of recognized medical indications for the use of controlled substance such as opiates for pain
27 control.

28 ///

1 34. On or about June 2013 through July 2017, there is no documentation of a stated
2 objective(s) and/or treatment plan in Respondent's medical records of Patient B as to the care and
3 treatment of Patient B including, but not limited to, plans for further diagnostic evaluations and
4 treatments and relief of pain and/or improved physical or psychological function or abilities to
5 perform certain tasks or activities of daily living.

6 35. On or about June 2013 through July 2017, there is no documentation that Respondent
7 discussed the risks and benefits of the use of controlled substances with other treatment
8 modalities with Patient B.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Repeated Negligent Acts)**

11 36. Respondent Alan Katsui Anzai, M.D., has subjected his Physician's and Surgeon's
12 Certificate No. G 77199 to disciplinary action under sections 2234, subdivision (c), of the Code,
13 in that he committed repeated acts of negligence in his care and treatment of Patients A, B, and C
14 as more particularly alleged hereafter:

15 37. Complainant realleges paragraphs 18 through 35, and those paragraphs are
16 incorporated by reference as if fully set forth herein.

17 Patient C

18 38. On or about July 2006, Respondent began treating Patient C for back pain.

19 39. On or about December 7, 2011, through December 12, 2018, Respondent prescribed
20 Patient C 1 mg two times per day of lorazepam.

21 40. On or about April 12, 2012, Respondent prescribed Patient C 325 mg/5 mg ten times
22 per day for 3 days of oxycodone HCL-acetaminophen.

23 41. On or about January 31, 2011, through January 5, 2017, Respondent prescribed
24 Patient C 325 mg/10 mg twelve times per day of hydrocodone bitartrate-acetaminophen.

25 42. On or about February 2, 2017, Respondent prescribed Patient C 325 mg/10 mg eleven
26 times per day of hydrocodone bitartrate-acetaminophen.

27 43. On or about March 2, 2017, Respondent prescribed Patient C 325 mg/10 mg ten times
28 per day of hydrocodone bitartrate-acetaminophen.

- 1 44. On or about March 30, 2017, Respondent prescribed Patient C 325 mg/10 mg nine
2 times per day of hydrocodone bitartrate-acetaminophen.
- 3 45. On or about May 22, 2017 through July 17, 2017, Respondent prescribed Patient C
4 325 mg/10 mg seven times per day of hydrocodone bitartrate-acetaminophen.
- 5 46. On or about August 14, 2017, through January 2, 2019, Respondent prescribed
6 Patient C 325 mg/10 mg seven times per day of acetaminophen-hydrocodone bitartrate.
- 7 47. On or about April 1, 2011, through April 8, 2013, Respondent prescribed Patient C 30
8 mg three times per day of morphine sulfate.
- 9 48. On or about April 25, 2013, through August 5, 2016, Respondent prescribed Patient C
10 60 mg three times per day of morphine sulfate.
- 11 49. On or about September 2, 2016, Respondent prescribed Patient C 60 mg two times
12 per day of morphine sulfate.
- 13 50. On or about September 27, 2016, Respondent prescribed Patient C 15 mg seven times
14 per day of morphine sulfate.
- 15 51. On or about December 21, 2016, Respondent prescribed Patient C 15 mg five times
16 per day of morphine sulfate.
- 17 52. On or about January 18, 2017, Respondent prescribed Patient C 15 mg four times per
18 day of morphine sulfate.
- 19 53. On or about February 15, 2017, Respondent prescribed Patient C 15 mg three times
20 per day of morphine sulfate.
- 21 54. On or about March 14, 2017, Respondent prescribed Patient C 15 mg two times per
22 day of morphine sulfate.
- 23 55. On or about June 2013 through March 2017, there is no documentation in the medical
24 records of Patient C that Respondent performed a physical examination and/or took a medical
25 history of Patient C which includes, but not limited to, an assessment of Patient C's pain, Patient
26 C's physical and psychological status and function, substance abuse history, history of prior pain
27 treatments, assessment of any underlying or co-existing conditions, and documentation of
28 ///

1 recognized medical indications for the use of controlled substance such as opiates for pain
2 control.

3 **THIRD CAUSE FOR DISCIPLINE**
4 **(Prescribing Controlled Substances Without Appropriate**
5 **Examination or Medical Indication)**

6 56. Respondent Alan Katsui Anzai, M.D., has subjected his Physician's and Surgeon's
7 Certificate No. G 77199 to disciplinary action under sections 2227, 2234, and 2242, of the Code
8 in that Respondent has prescribed controlled substances and dangerous drugs to Patients A, B,
9 and C without an appropriate examination or medical indication as more particularly alleged in
10 paragraphs 18 through 55, above, and those paragraphs are incorporated by reference as if fully
11 set forth herein.

12 **FOURTH CAUSE FOR DISCIPLINE**
13 **(Failure to Maintain Adequate and Accurate Records)**

14 57. Respondent Alan Katsui Anzai, M.D., has subjected his Physician's and Surgeon's
15 Certificate No. G 77199 to disciplinary action under sections 2227 and 2234, as defined by
16 section 2266, of the Code in that Respondent failed to maintain adequate and accurate medical
17 records relating to his care and treatment of Patients A, B, and C as more particularly alleged in
18 paragraphs 18 through 56, above, and those paragraphs are incorporated by reference as if fully
19 set forth herein.

20 ///
21 ///
22 ///
23 ///
24 ///
25 ///
26 ///
27 ///

28

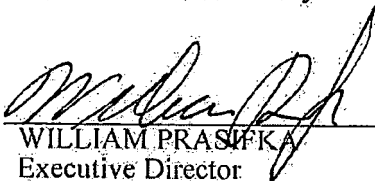
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate No. G 77199, issued to Alan Katsui Anzai, M.D.;
2. Revoking, suspending or denying approval of Alan Katsui Anzai, M.D.'s authority to supervise physician assistants and advanced practice nurses;
3. Ordering Alan Katsui Anzai, M.D., if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: JUL 07 2020



WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

SA2019300847
14537237.docx