



COMMONWEALTH of VIRGINIA

Dianne L. Reynolds-Cane, M.D.
Director

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Henrico, Virginia 23233-1463

www.dhp.virginia.gov
TEL (804) 367- 4400
FAX (804) 527- 4475

January 5, 2011

Sharry T. Hamasaki, M.D.
3905 Keller Avenue
Alexandria, Virginia 22302

UPS OVERNIGHT

RE: License No.: 0101-032510

Dear Dr. Hamasaki:

I enclose a certified copy of the Virginia Board of Medicine's Order of Summary Suspension entered January 5, 2011, affecting your license to practice medicine and surgery in the Commonwealth of Virginia.

Effective immediately, it shall be unlawful for you to treat patients, prescribe medications, or otherwise practice medicine, or hold yourself out as a licensed physician in the Commonwealth of Virginia.

Further, in accordance with Sections 54.1-105, 54.1-110, 54.1-2400, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), you are hereby given notice that the Virginia Board of Medicine ("Board") will convene a formal administrative hearing to receive and act upon evidence that you may have violated certain laws and regulations governing the practice of medicine in the Commonwealth of Virginia, as set forth in the attached Statement of Particulars.

The formal administrative hearing will be held in accordance with the provisions of Sections 54.1-2400(11) and 2.2-4024.F of the Code, before a panel of the Board, with a member of the Board presiding. You have been scheduled to appear before the Board on **Friday, January 21, 2011, at 1:00 p.m., in the offices of the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd floor, Henrico, Virginia.** A map is enclosed for your convenience. Your presence is required thirty (30) minutes in advance of the appointed time. Please report to the 2nd floor receptionist and be seated in the waiting room. You will be called when the Board is ready to meet with you.

You have the following rights, among others: to be accompanied by and represented by counsel, to submit oral and documentary evidence and rebuttal proofs, to conduct such cross-examination as may elicit a full and fair disclosure of the facts, and to have the proceedings completed and a decision made with dispatch. Should you wish to subpoena witnesses, requests for subpoenas must be made, in writing, in accordance with the enclosed Instructions for Requesting Subpoenas.

Please carefully read the following paragraphs, which contain date-sensitive and important information regarding this proceeding.

COMMONWEALTH'S EVIDENCE

You have the right to the information that will be used by the Board in reaching a decision regarding this matter; therefore, I enclose the Commonwealth's evidence. Please note that these documents are enclosed only with the original notice sent by UPS Overnight mail. Further, if you are represented, it is your responsibility to provide the enclosed materials to your attorney. If you or your counsel have any questions regarding these materials, you must contact Assistant Attorney General Corie E. Tillman Wolf at (804) 786-9593.

Any objections to the Commonwealth's evidence will be addressed at the time the hearing is convened and the chairperson of the proceeding will rule on the objections.

RESPONDENT'S EVIDENCE

Should you wish for the Board to consider additional information relative to this proceeding, you must bring fifteen (15) copies of any such documents with you to the formal hearing. Any objections by the Commonwealth will be addressed at the time the hearing is convened and the chairperson of the proceeding will rule on the objections.

OTHER PRE-HEARING MOTIONS

If you or Assistant Attorney General Corie E. Tillman Wolfe, Esquire, wish to make any pre-hearing motions regarding matters other than the exhibits, including offers of settlement, each of you is directed to file motions, in writing, addressed to me at the Board office by **January 13, 2011**. Responses to motions filed must be submitted by **January 18, 2011**. The chairperson of the proceeding will rule on the motion.

REQUEST FOR A CONTINUANCE

Absent exigent circumstances, such as personal or family illness, a request for a continuance after **January 12, 2011**, will not be considered. If you obtain counsel, you should do so as soon as possible, as a motion for a continuance due to the unavailability of counsel will not be considered unless received by **January 12, 2011**.

Notice of Formal Hearing - Sharry T. Hamasaki, M.D.

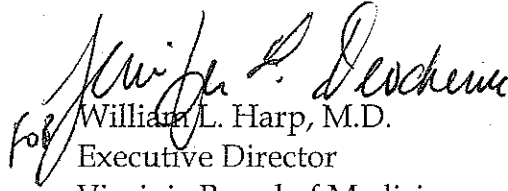
January 5, 2011

Page 3 of 3

Relevant sections of the Administrative Process Act, which govern proceedings of this nature, as well as laws relating to the practice of medicine and other healing arts in Virginia cited in this notice can be found at <http://leg1.state.va.us>. To access this information, please click on Code of Virginia for laws and Virginia Administrative Code for regulations.

Please indicate, by letter to this office, your intention to be present.

Sincerely,


William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

Enclosures:

Commonwealth's Exhibits 1-2
Statement of Particulars
Instructions for Requesting Subpoenas
Map

cc: Karen A. Ransone, M.D., President, Virginia Board of Medicine
Corie E. Tillman Wolf, Assistant Attorney General
Kelley M. Wynne, Adjudication Specialist, APD
Lorraine B. McGehee, Deputy Director, APD
Helene J. Kelly, R.N., MSN, Senior Investigator [134335]

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: **SHARRY T. HAMASAKI, M.D.**
License No.: 0101-032510

STATEMENT OF PARTICULARS

The Virginia Board of Medicine ("Board") alleges that:

1. Dr. Hamasaki may be in violation of Sections 54.1-2915.A(2), (4) and (14) of the Code of Virginia, in that she is unfit for the performance of her professional obligations and duties, and/or unable to practice medicine with reasonable skill or safety due to substance abuse and/or mental illness. Specifically:

a. She has a long history of mental illness with only intermittent treatment and monitoring until approximately 1998 when she began treatment with Physician A. Her current mental health diagnoses require ongoing medication management and monitoring;

b. On or about September 6, 2010, Dr. Hamasaki was admitted to the hospital by a Temporary Detention Order and was provisionally diagnosed with Bipolar Disorder, Manic. On admission, Dr. Hamasaki's speech was hyperverbal, tangential, pressured, and rambling; she told hospital staff she was confused because she can't remember to take her medications; stated to the staff that she had "wanted to kill [the] cops in car" and self "only today". When questioned about alcohol and substance abuse, Dr. Hamasaki initially denied abuse but then reported that she was self-prescribing and had misused her medications;

c. Dr. Hamasaki was discharged from the hospital on or about September 22, 2010. Physician B, who treated Dr. Hamasaki while she was admitted to the hospital, opined during an interview with the Department of Health Professions ("DHP") investigator that Dr. Hamasaki was not capable of medical practice at this time and that she would have to show stability of her psychiatric condition and medication compliance to be considered safe to practice.

d. On or about September 23, 2010, Dr. Hamasaki resumed treatment with Physician A. She expressed to Physician A that she was not yet capable of returning to work as a physician but hoped to return to practice in the future;

e. Dr. Hamasaki quickly became non-compliant with her medication regimen which caused an increase in her mania. She stopped treating with Physician A on or about October 21, 2010. Since her last visit, Dr. Hamasaki has left several voicemails containing confusing statements about her medications for Physician A;

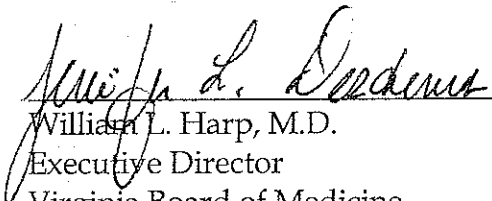
f. On or about November 17, 2010, Dr. Hamasaki did not show up for her scheduled 12:00 p.m. interview with the DHP investigator, despite the fact that the investigator left voicemail reminders of the meeting for Dr. Hamasaki twice on November 15, 2010, twice on November 16, 2010 and twice the morning of November 17, 2010. Dr. Hamasaki finally called the DHP investigator on November 17, 2010 at approximately 2:00 p.m., but was apparently confused as to whom she was talking to and repeatedly stated she wanted to fax a request for medication. When the DHP investigator explained to Dr. Hamasaki whom she had reached and the purpose of the

earlier meeting, Dr. Hamasaki stated "I got to the shopping center but only went as far as the pastry shop...then realized I needed to buy a mattress because I can't sleep...I can't tell which pill is which with all the different colors." Dr. Hamasaki stated to the DHP investigator that she was not currently working, but that she wanted to be able to work in the future; and

g. On or about November 19, 2010 during an interview with the DHP investigator, Physician A expressed concern for Dr. Hamasaki and said it was evident that her condition had deteriorated and that she sounded disorganized, confused and, at times, psychotic. Physician A believes Dr. Hamasaki is unsafe to practice as a physician at this time.

Please see Attachment I for the identity of the physicians referenced above.

FOR THE BOARD

for 
William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

DATE: 1/5/2011

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: **SHARRY T. HAMASAKI, M.D.**
License No.: 0101-032510

ORDER OF SUMMARY SUSPENSION

Pursuant to § 54.1-110 of the Code of Virginia (1950), as amended ("Code"), a quorum of the Virginia Board of Medicine ("Board") met on January 5, 2011, by telephone conference call after a good faith effort to convene a regular meeting of the Board failed. The purpose of the meeting was to receive and act upon information indicating that Sharry T. Hamasaki, M.D., may have violated certain laws and regulations governing the practice of medicine and surgery in the Commonwealth of Virginia, as more fully set forth in the Statement of Particulars, which is attached hereto and incorporated by reference herein.

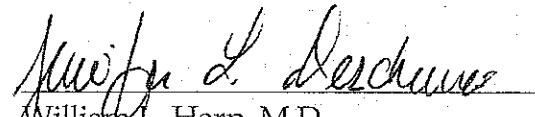
WHEREUPON, pursuant to its authority under § 54.1-2408.1 of the Code, the Board concludes that a substantial danger to the public health or safety warrants this action and ORDERS that the license of Sharry T. Hamasaki, M.D., to practice medicine and surgery in the Commonwealth of Virginia be, and hereby is, SUSPENDED.

Upon entry of this Order of Summary Suspension, the license of Sharry T. Hamasaki, M.D., will be recorded as suspended and no longer current.

It is further ORDERED that a hearing will be convened forthwith to receive and act upon evidence in this case, and that the Executive Director of the Board shall be authorized to execute this Order and all other documents, notices, and Orders on behalf of the Board necessary to bring this matter to hearing.

Pursuant to § 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public inspection and copying upon request.

FOR THE BOARD

for 
William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 1/5/2011

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

IN RE: SHARRY T. HAMASAKI, M.D.
License No.: 0101-032510

ORDER

In accordance with the provisions of Sections 54.1-105, 54.1-110, 2.2-4020 and 2.2-4021 of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing was convened before the Virginia Board of Medicine ("Board"), on January 21, 2011, in Henrico, Virginia, to receive and act upon evidence that Dr. Hamasaki may have violated certain laws and regulations governing the practice of medicine and surgery in Virginia. These matters are set forth in the Board's Notice of Hearing dated January 5, 2011.

Pursuant to Sections 2.2-4024.F and 54.1-2400(11) of the Code, the hearing was held before a panel of the Board with a member of the Board presiding. Amy Marschean, Senior Assistant Attorney General, was present as legal counsel for the Board. The proceedings were recorded by a certified court reporter. The case was prosecuted by Corie E. Tillman Wolf, Assistant Attorney General, assisted by Kelley M. Wynne, Adjudication Specialist. Dr. Hamasaki did not appear at the formal administrative hearing and was not represented by counsel.

FINDINGS OF FACT

Now, having properly considered the evidence and testimony presented, the Board makes the following findings of fact by clear and convincing evidence:

1. Sharry T. Hamasaki, M.D., was issued license number 0101-032510 by the Board of Medicine to practice medicine and surgery in the Commonwealth of Virginia on September 4, 1980. Said license was summarily suspended by Order of the Virginia Board entered January 5, 2011.

2. Based upon representations of Assistant Attorney General Corie E. Tillman Wolf, Esquire, and upon information contained in Commonwealth's Exhibit #5, the chair of the panel of the Board ruled that proper notice of the proceedings had been provided to Dr. Hamasaki at her address of record on file with the Board. The formal administrative proceeding was convened and proceeded in Dr. Hamasaki's absence.

3. Dr. Hamasaki is unfit for the performance of her professional obligations and duties, and/or unable to practice medicine with reasonable skill or safety due to mental illness, as evidenced by the following:

a. She has a long history of mental illness with only intermittent treatment and monitoring until approximately 1998 when she began treatment with Physician A. Her current mental health diagnoses require ongoing medication management and monitoring;

b. On or about September 6, 2010, Dr. Hamasaki was admitted to the hospital by a Temporary Detention Order and was provisionally diagnosed with Bipolar Disorder, Manic. On admission, Dr. Hamasaki's speech was hyperverbal, tangential, pressured, and rambling; she told hospital staff she was confused because she can't remember to take her medications; stated to the staff that she had "wanted to kill [the] cops in car" and self "only today". When questioned about

alcohol and substance abuse, Dr. Hamasaki denied abuse, but also reported that she was self-prescribing and had misused her medications;

c. Dr. Hamasaki was discharged from the hospital on or about September 22, 2010. Physician B, who treated Dr. Hamasaki while she was admitted to the hospital, opined during an interview with the Department of Health Professions (“DHP”) investigator and during his testimony at the hearing that Dr. Hamasaki was not capable of medical practice at this time, and that she would have to show stability of her psychiatric condition and medication compliance to be considered safe to practice.

d. On or about September 23, 2010, Dr. Hamasaki resumed treatment with Physician A. She expressed to Physician A that she was not yet capable of returning to work as a physician, but hoped to return to practice in the future;

e. Dr. Hamasaki quickly became non-compliant with her medication regimen, which caused an increase in her mania. She stopped treating with Physician A on or about October 21, 2010. Since her last visit, Dr. Hamasaki has left several voicemails containing confusing statements about her medications for Physician A;

f. On or about November 17, 2010, Dr. Hamasaki did not show up for her scheduled 12:00 p.m. interview with the DHP investigator, despite the fact that the investigator left voicemail reminders of the meeting for Dr. Hamasaki twice on November 15, 2010, twice on November 16, 2010, and twice the morning of November 17, 2010. Dr. Hamasaki finally called the DHP investigator on

November 17, 2010 at approximately 2:00 p.m., but was apparently confused as to whom she was talking to and repeatedly stated she wanted to fax a request for medication. When the DHP investigator explained to Dr. Hamasaki whom she had reached and the purpose of the earlier meeting, Dr. Hamasaki stated "I got to the shopping center but only went as far as the pastry shop...then realized I needed to buy a mattress because I can't sleep...I can't tell which pill is which with all the different colors." Dr. Hamasaki stated to the DHP investigator that she was not currently working, but that she wanted to be able to work in the future; and

g. On or about November 19, 2010 during an interview with the DHP investigator, Physician A expressed concern for Dr. Hamasaki and said it was evident that her condition had deteriorated and that she sounded disorganized, confused and, at times, psychotic. Physician A confirmed his statement made on November 19, 2010 and testified during the hearing that he believes Dr. Hamasaki is unsafe to practice as a physician at this time.

CONCLUSIONS OF LAW

Findings of Fact Nos. 3.a - g constitute a violation of Section 54.1-2915.A (4) and (14) of the Code.

ORDER

WHEREFORE, based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that the license of Sharry T. Hamasaki, M.D., be CONTINUED on INDEFINITE SUSPENSION.

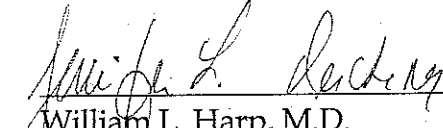
Upon entry of this Order, the license of Sharry T. Hamasaki, M.D., will be recorded as SUSPENDED and no longer current.

Should Dr. Hamasaki seek reinstatement of her license, she shall be noticed to appear before the Board, in accordance with the Administrative Process Act. As petitioner, Dr. Hamasaki has the burden of proving her competency and fitness to practice medicine and surgery in the Commonwealth of Virginia in a safe and competent manner.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Dr. Hamasaki has thirty (30) days from the date of service (the date she actually received this decision or the date it was mailed to her, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with William L. Harp, M.D., Executive Director, Board of Medicine, at 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Sections 2.2-4023 and 54.1-2400.2 of the Code, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

for 

William L. Harp, M.D.
Executive Director
Virginia Board of Medicine

ENTERED: 1/24/2011