

VIRGINIA:

BEFORE THE BOARD OF MEDICINE

**IN RE: CRAIG STEPHEN CROPP, M.D.
 License No.: 0101-058190**

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 June 27, 2008, in Richmond, Virginia, to receive and act upon evidence that Dr. Cropp may have violated the terms and conditions of a Modified Order of the Board entered October 4, 2006. These matters are set forth in the Board's Notice of Hearing and Statement of Particulars dated June 3, 2008.

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 James Schliessmann, Assistant Attorney General, assisted by Michelle Wilson, Adjudication Specialist. Dr. Cropp appeared at the formal administrative hearing and was not represented by legal 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. Craig S. Cropp, M.D., was issued license number 0101-058190 by the Board to practice medicine and surgery in the Commonwealth of Virginia on July 13, 1998. Said license was summarily suspended by an Order of the Board entered June 3, 2008.

2. Pursuant to Orders of the Board entered November 2, 2000, June 8, 2004, November 8, 2004, and pursuant to a Modified Order of the Board entered October 4, 2006, Dr. Cropp's license to practice medicine in the Commonwealth of Virginia was placed on terms and conditions.

3. Pursuant to the Modified Order of the Board entered October 4, 2006 ("Modified Order"), the Board placed Dr. Cropp's license on certain terms and conditions to include that he was prohibited from engaging in the practice of medicine until such time as he passed the Special Purpose Examination ("SPEX") or completed a voluntary recertification with the American College of Obstetrics and Gynecology. On or about February 5, 2007, Dr. Cropp passed the SPEX. Further, the Modified Order stated Dr. Cropp was allowed to return to the practice of medicine under additional terms and conditions that included:

a. Dr. Cropp shall provide the Board with the name of a physician who agreed to enter into a mentorship with Dr. Cropp for the purpose of overseeing his practice for not less than one (1) year;

b. The physician mentor shall hold a current and active medical license. Further, should Dr. Cropp return to practice in the field of obstetrics and gynecology, the mentor shall also be a board-certified obstetrician-gynecologist (Term 2(c) of the Modified Order);

c. The physician mentor shall practice in the same office and be available to Dr. Cropp for consultation and peer input;

d. The physician mentor must observe and/or assist Dr. Cropp during all surgical procedures and obstetrical deliveries, to include all invasive gynecologic surgical procedures performed both in the office and in the operating room for a period of not less than one (1) year (Term 2(e) of the Modified Order).

4. Dr. Cropp failed to comply with certain terms and conditions set forth in the Modified Order, in that:

a. he returned to the practice of gynecology at a Center in Virginia Beach, Virginia on or about December 6, 2007, without utilizing a practice mentor who was a board-certified obstetrician-gynecologist; and

b. he performed surgical procedures and/or invasive gynecological surgical procedures at times when he was not directly observed and/or assisted by his physician mentor.

5. Steven Brigham, M.D., acted as Dr. Cropp's initial physician mentor for the approximate period of December, 2007, through March, 2008. Dr. Brigham testified to the Board that he owns the Center in Virginia Beach, Virginia, but does not practice there since he is not licensed to practice medicine in the Commonwealth of Virginia. Dr. Brigham holds a current and active license to practice medicine in New Jersey.

6. By letter dated March 17, 2008, Dr. Cropp notified the Board that he had received the Board's correspondence dated March 6, 2008, and that he had changed his physician mentor to Richard Paver, D.O., a physician with a current and active medical license in the Commonwealth of Virginia.

7. Neither Dr. Brigham nor Dr. Paver is board-certified in obstetrics-gynecology.

8. Dr. Cropp testified to the Board that his physician mentors did not observe him perform all procedures as required by the Modified Order, and estimated that his second mentor, Dr. Paver, was only present at the Center in Virginia Beach, Virginia 25-50% of the time.

9. In an interview with an investigator for the Department of Health Professions, Dr. Paver stated that he (a) became licensed to practice medicine in the Commonwealth of Virginia on February 7, 2008; (b) works full-time in the Office of the Medical Inspector General in Bethesda, Maryland; and (c) did not become Dr. Cropp's physician mentor until March 13, 2008. Further, Dr. Paver stated that he understood that the Modified Order required the physician mentor to observe all surgical procedures; however, he stated that his schedule did not allow him to be present every time Dr. Cropp performs a surgical procedure.

10. Dr. Cropp testified to the Board that he believed that he was compliant with the Modified Order; however, the Board found that his interpretation of the terms and conditions was incorrect.

CONCLUSIONS OF LAW

1. Findings of Fact # 4(a) and 5-7 constitute a violation of Term 2(c) of the Modified Order of the Board entered October 4, 2006.

2. Findings of Fact # 4(b) and 8-9 constitute a violation of Term 2(e) of the Modified Order of the Board entered October 4, 2006.

ORDER

WHEREFORE, based on the above Findings of Fact and Conclusions of Law, it is hereby ORDERED that the license of Craig Cropp, M.D., be REINSTATED on PROBATION and subject to the following terms and conditions:

1. The period of probation shall begin on the date of entry of this Order and shall continue INDEFINITELY for not less than one (1) year of actual practice.
2. Dr. Cropp may not practice as a solo practitioner.
3. Prior to his return to practice, Dr. Cropp shall submit written notification to the Board regarding the date he plans to return to practice, the location(s) of his practice(s), and the name(s) of the physician(s) who agree to enter into a mentorship with him for the purpose of overseeing his practice.
4. The physician mentor shall hold a current and active medical license in the Commonwealth of Virginia. The physician mentor shall be approved by the Board prior to Dr. Cropp returning to the practice of medicine pursuant to this Order. The physician mentor's specialty certification shall be appropriate to the type of practice and procedures Dr. Cropp is performing, and the degree of observation or assistance necessary shall be determined by the Board.
5. The physician mentor shall provide the necessary observation and/or assistance to Dr. Cropp as required by the Board.
6. The physician mentor shall practice in the same office and be available to Dr. Cropp for consultation and peer input.

7. The physician mentor shall submit written quarterly reports to the Board regarding Dr. Cropp's clinical competency for a period of not less than one (1) year. The quarterly reports shall include, but not be limited to, a detailed evaluation of Dr. Cropp's clinical performance as determined by the mentor; ability to obtain comprehensive patient histories; assessments of patients; clinical findings; diagnostic testing; appropriate diagnoses; projected treatment plans; documentation and medical record-keeping; and surgical technique. Further, the written quarterly report shall include an evaluation of Dr. Cropp's patient and procedure log. The first quarterly report will be due by October 1, 2008, and thereafter by the 1st of January, April, July, and October.

8. Should Dr. Cropp wish to change his mentoring physician or change or add a practice location, he shall submit written notification to the Board for pre-approval and await written approval from the Board prior to making the change.

9. Dr. Cropp shall provide his mentoring physician and/or employer with copies of his current Order and all prior Orders entered by the Board.

10. Dr. Cropp shall sign a written authorization providing for unrestricted communication between the Board, or its agent, and his mentoring physician and/or employer.

11. Dr. Cropp shall submit a patient and procedure log, on a form prescribed by the Board, for all patients that he treats. Said patient log shall include the date, patient name, a written description for the procedures or treatments rendered, identification of the procedures pursuant to Current Procedural Terminology (CPT) Code, and any complications experienced. Dr. Cropp shall submit the patient and procedure log to the Board on a quarterly basis for a

period of not less than one (1) year. Quarterly reports shall be submitted by the 1st of October, January, April, and July.

12. After Dr. Cropp has completed one (1) year of continuous medical practice, he may request an informal conference before the Board to consider his petition for termination of the above terms and conditions imposed on his license to practice medicine in the Commonwealth of Virginia. In the interim, the Board reserves the right to convene an administrative proceeding on any matter deemed to be a violation of Virginia law or regulation.

It is further ORDERED that Dr. Cropp be assessed a MONETARY PENALTY in the amount of five thousand dollars (\$5,000.00). This monetary penalty shall be paid to the Board within sixty (60) days from the date of entry of this Order. If said monetary penalty is not paid in full within the prescribed deadline, an additional one hundred dollar (\$100.00) late fee shall be assessed weekly up to a maximum of one thousand dollars (\$1,000.00). Failure to pay the monetary penalty, plus the additional assessment, within one hundred (100) days of entry of this Order shall constitute grounds for an administrative proceeding.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Dr. Cropp has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, 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, Richmond, Virginia, 23233. In the event that this decision is served by mail, three (3) days are added to that period.

Pursuant to Section 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: 7/16/2008