

IN THE MATTER OF

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**BEFORE THE
MARYLAND STATE
BOARD OF PHYSICIANS**

CRAIG S. CROPP, M.D.

License No. D 33593

Case Number 2004-0347

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FINAL DECISION AND ORDER

I. PROCEDURAL HISTORY

On September 15, 2005, the Board charged Craig S. Cropp, M.D. ("Dr. Cropp") for being disciplined by the licensing authority of another state for an act or acts that would be grounds for disciplinary action if performed in this State. *See* Md. Health Occ. Code Ann. ("Health Occ.") § 14-404 (a) (21) (permitting such reciprocal discipline). The acts in question occurred in the State of Virginia. Those acts, according to the charges, would have violated Health Occ. § 14-404 (a) (22) if performed in this State. That latter section of the Maryland law provides for discipline if a physician:

[F]ails to meet appropriate standards as determined by appropriate peer review for the delivery of quality medical and surgical care in an outpatient facility, office, hospital or other location in this State.

Id. Dr. Cropp availed himself of the right to a hearing, and a hearing was held before an Administrative Law Judge of the Office of Administrative Hearings on May 4, 2006. The Administrative Law Judge then issued a Proposed Decision on July 13, 2006. Dr. Cropp filed Exceptions to the Proposed Decision, and a hearing on those Exceptions was held on October 25, 2006. Throughout the process, Dr. Cropp has admitted that his case meets the requirements for reciprocal discipline in Maryland set out in Health Occ. § 14-

404 (a) (21). The only issue contested by Dr. Cropp throughout the process is the sanction to be imposed by this Board for that violation of Health Occ. § 14-404 (a) (21).

II. POST-HEARING EVIDENTIARY RULING

The Board ordinarily confines its Exceptions process to the evidence already developed at the hearing before the Administrative Law Judge. In this case, however, an important factual issue is extent of the restrictions imposed by the Virginia Board of Medicine on Dr. Cropp's medical license. The Administrative Law Judge admitted into evidence the Virginia Board of Medicine's Orders of November 2, 2000, June 10, 2003 and November 8, 2004. During the Exceptions process, however, Dr. Cropp has proffered a new order of the Virginia Board of Medicine, dated October 4, 2006, which modifies the sanction imposed on him by the November 8, 2004 Order. The Administrative Prosecutor did not object to the Board considering this new order during its Exceptions process. Dr. Cropp stipulated that the Board may consider this latest order from the Virginia Board of Medicine as final, even though his right to appeal it does not expire until November 8, 2006. Dr. Cropp informed the Board that he has no intention of appealing that October 4, 2006 order. The Board has thus admitted this document into evidence and will consider it in its disposition of the case. The Board has not admitted and will not consider the other documents proffered by Dr. Cropp at the Exceptions stage of the process.

III. FINDINGS OF FACT

The Board adopts the Findings of Fact proposed by the Administrative Law Judge. The Proposed Decision of the Administrative Law Judge is incorporated into this decision and is attached. Based on the additional document admitted, however, the Board will make one additional finding, finding number 19, as follows:

On October 5, 2006, the Virginia Board of Medicine modified the conditions and restrictions imposed in its previous order of November 8, 2004. In that October 5, 2006 order, Dr. Cropp is no longer required to complete a residency in obstetrics and gynecology prior to petitioning the Virginia Board to modify the prohibition on the practice of obstetrics or invasive surgery requiring IV sedation or general anesthesia. In the October 5, 2006 order, Dr. Cropp may return to the practice of medicine if he either: (a) passes the Special Purpose Examination ("SPEX") or (b) completes a voluntary recertification with the American College of Obstetrics and Gynecology. Upon returning to practice, Dr. Cropp would be subject to numerous conditions and restrictions, including the requirement of acquiring and maintaining the services of a mentoring physician to observe or assist in all surgical procedures, deliveries and all invasive gynecological surgical procedures whether performed in the office or in the operating room. After these conditions and restrictions have remained in effect for one year, Dr. Cropp may petition the Executive Director of the Virginia Board to remove these conditions and restrictions.

IV. CONCLUSIONS OF LAW

The Board adopts the Conclusions of Law proposed by the Administrative Law Judge. The Board also adopts part A of the "Discussion" in the Administrative Law Judge's opinion at pages 9 through 11 of the Proposed Decision. The Board also concludes that it may impose any sanction authorized by Health Occ. § 14-404 (a) and 14-405.1, including revocation, suspension, probation, reprimand and/or the imposition of a fine, for this violation of Health Occ. 14-404 (a) (21).

V. SANCTION

The Board is quite concerned that Dr. Cropp currently has an unrestricted, active medical license in this State, while his history includes a series of events that cast grave doubt on his competence to practice medicine. The Board is concerned about the safety of Maryland patients should Dr. Cropp be permitted to practice in this State now, or should he be later permitted to actively practice in this State prematurely, without a demonstration that he is currently competent. The Board will suspend Dr. Cropp's license until he is permitted to return to the active practice of medicine in Virginia

without terms, conditions, limitations or encumbrances of any kind. In addition, upon petitioning to have this Maryland suspension lifted, Dr. Cropp will be required to demonstrate to the satisfaction of the Board that he is at that time competent to practice in Maryland

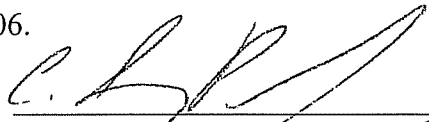
VI. ORDER

It is therefore **ORDERED** that the medical license of Craig S. Cropp, M.D., License No. D33593, is hereby **SUSPENDED**; and it is further

ORDERED that the suspension shall remain in effect until Dr. Cropp is no longer suspended from the active practice of medicine in the State of Virginia and is permitted to practice there actively without any terms, conditions, limitations or encumbrances of any kind **AND** until Dr. Cropp applies in this State to have the suspension lifted **AND** Dr. Cropp demonstrates to the satisfaction of the Board, in accordance with any procedures or evaluations deemed appropriate by the Board at that time, that he is then competent to practice medicine in this State; and it is further

ORDERED that if the Board lifts the suspension in accordance with the above paragraph, the Board may impose a period of stayed suspension or of probation if in the judgment of the Board the public would not be adequately protected at that time without those restrictions.

SO ORDERED this 2nd day of November, 2006.


C. Irving Pinder, Jr.
Executive Director

NOTICE OF RIGHT TO APPEAL

If Dr. Cropp is dissatisfied with this Final Decision and Order, he has the right to file a direct judicial appeal of this decision with the circuit court, under Md. Code Ann., Health Occ. § 14-408(b), Md. Code Ann., State Gov't § 10-222 and the Maryland Rules of Procedure at Ch. 7-200 et seq.