

In The Matter of

ROBERT S. CROMARTIE, III, M.D.
(Certificate No. 03422R),

Respondent

STIPULATION AND AGREEMENT FOR VOLUNTARY SURRENDER OF MEDICAL LICENSE

a) An investigation was conducted on behalf of the Louisiana State Board of Medical Examiners, through its Investigating Officer, John B. Bobear, M.D., indicating to the satisfaction of Dr. Bobear that sufficient cause exists for further inquiry and investigation with respect to the accuracy of certain information supplied by Dr. Cromartie on several of his renewal applications for Louisiana medical license, conceivably resulting in charges against the license of Dr. Cromartie under the Louisiana Medical Practice Act.¹ Such investigation indicates, more particularly, that on his 1993 renewal application Dr. Cromartie advised the Board that he had entered into a Consent Agreement with the Department of Professional Regulation, Board of Medicine, for the state of Florida (the

¹ La. Rev. Stat. §37:1285A(3) provides that the Board may revoke, suspend or take other action against a physician's license for '[F]raud, deceit, or perjury in obtaining . . . any license, or permit pertaining to this Part.'

"Florida Board").² Nevertheless, the inquiry which culminated in the Consent Agreement with the Florida Board commenced during the year 1989. On his renewal applications for the years 1990, 1991 and 1992, however, Dr. Cromartie responded in the negative to the question which asked "Were you the subject of any type of disciplinary action or inquiry by any licensing authority, institution, society, etc.?"

- b) As evidenced by his subscription hereto, Dr. Cromartie, without admitting any intentional conduct or any violation of the Louisiana Medical Practice Act, hereby acknowledges, stipulates, and agrees that such information, if accurate and established at a formal administrative hearing, would provide lawful cause under the Louisiana Medical Practice Act, La. Rev. Stat. §37:1261-92, for the Board to take such action against Dr. Cromartie's license to practice medicine in the state of Louisiana, as it may deem appropriate, pursuant to La. Rev. Stat. §37:1285.
- c) Pursuant to the Louisiana Medical Practice Act and the Louisiana Administrative Procedure Act, Dr. Cromartie would be entitled, prior to final disciplinary action against his medical license, to an evidentiary hearing on specified allegations set forth in a formal Administrative Complaint. At such hearing, Dr. Cromartie would be entitled to be represented by legal counsel, to call witnesses and present evidence on his own behalf in defense or in mitigation of the charges made, and to a decision thereon by the Board based upon written findings of fact and conclusions of law, pursuant to the applicable provisions of the Louisiana Administrative Procedure Act, La. Rev. Stat. §49:950-65.

2. Voluntary Surrender of Medical License: Without admitting the accuracy of the information received by the Board in its investigation, and notwithstanding his right to notice of formal charges, administrative hearing and a decision therein, as provided by La. Rev. Stat. §49:955, in recognition of the stipulations set forth herein above, toward final disposition of the investigation now pending in this matter and in lieu of the institution and prosecution of formal administrative proceedings, Dr. Cromartie, nonetheless, hereby waives his right to notice of charges and formal adjudication and voluntarily surrenders to the Board, for cancellation, his license to practice medicine in the state of Louisiana, as evidenced by Certificate No. 03422R, such surrender to become effective immediately upon the Board's acceptance hereof. By his subscription hereto,

² The Florida Consent Agreement arose from Dr. Cromartie's treatment and care of a single patient for the disease of diabetes mellitus during the year 1987. *Department of Professional Regulation vs. Robert S. Cromartie, III, M.D.*, Final Order, pending before the State of Florida, Department of Professional Regulation, DPR Case, No. 89-09835, Oct. 26, 1992.

Dr. Cromartie also hereby authorizes the Investigating Officer designated by the Board with respect hereto and/or his legal counsel assisting him in that capacity, to present this Stipulation and Agreement for Voluntary Surrender of Medical License to the Board for its consideration and to fully disclose to and discuss with the Board the nature and results of the investigation, and waives any objection to such disclosure, under La. Rev. Stat. §49:960.

3. *Affect of Surrender of License:* Dr. Cromartie acknowledges, stipulates and agrees that as a result of the voluntary surrender of his medical license effected hereby, in the presence of an administrative investigation, he shall not have any right or entitlement to reinstatement or renewal of his license to practice medicine in the state of Louisiana nor shall he hereafter apply for or otherwise attempt to obtain any original, reinstated or renewal license to practice medicine in the state of Louisiana.

4. *Public Record:* Dr. Cromartie acknowledges, stipulates and agrees that this Stipulation and Agreement of Voluntary Surrender of Medical License shall be, and shall be deemed to be, a public record.

IN WITNESS WHEREOF, ROBERT S. CROMARTIE, III, M.D., has subscribed this Stipulation and Agreement, in duplicate original, this 24th day of January 1994

Robert S. Cromartie III M.D.
ROBERT S. CROMARTIE, III, M.D.

Jane Whitney-Stump
WITNESS

ACCEPTANCE

ACCEPTED AND APPROVED by the Louisiana State Board of Medical Examiners,
in New Orleans, Louisiana, this 20 day of January, 1994.

LOUISIANA STATE BOARD
OF MEDICAL EXAMINERS

By: 

BERNARD L. KAPLAN, M.D.
President