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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION
RICHARD L. ROMEYN, .M.D.	:	AND ORDER
RESPONDENT	:	LS0301161MED

The parties to this proceeding for purposes of sec. 227.53, Stats. are:

Richard L. Romeyn, M.D.
W5306 Emerald Court
LaCrosse, Wi 54601

Wisconsin Medical Examining Board
1400 E. Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
1400 E. Washington Ave.
P.O. Box 8935
Madison, WI 53708-8935

The Wisconsin Medical Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Richard L. Romeyn, M.D., personally, and by his attorney, Mary H. Michal, Reinhart, Boerner, and Van Deuren S.C, and by Pamela M. Stach, attorney for the Department of Regulation and Licensing, Division of Enforcement. The Board has reviewed the Stipulation and considers it acceptable. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Richard L. Romeyn, M.D., Respondent herein, of W5306 Emerald Court, LaCrosse, Wi 54601, whose date of birth is November 3, 1953, is licensed and currently registered to practice medicine and surgery in the State of Wisconsin under license number 27311 which was granted on October 25, 1985.

2. Respondent specializes in the practice of orthopedics.
3. On January 16, 2003, a formal complaint in this matter was filed with the Medical Examining Board and the Department of Regulation and Licensing.
4. The Complaint alleges that between December 29, 1997 and January 13, 1999, Respondent treated four minor patients for reconstruction of ligament damage to the knee by utilizing familial donor directed live allograft tissue without determining, prior to transplantation, the donor risk factors for transmission of communicable infectious diseases.
5. Prior to the filing of this complaint, Respondent had voluntarily ceased utilizing donor directed live allograft tissue for ligament repair. Respondent currently performs all ligament repair with either autogenous tissue or allograft tissue obtained from a certified tissue bank which performs all required testing for the presence of communicable infectious diseases.
6. Prior to the filing of this Complaint, Respondent had voluntarily participated in and successfully completed reeducation programs through the University of Wisconsin School of Medicine Continuing Education Program in basic transplant immunology and transmissible infectious diseases and an individualized program in the functions of an Institutional Review Board.
7. All of the patients who received the familial donor directed live allograft tissue had successful ligament repair and suffered no adverse consequences from the procedures.
8. Respondent is not currently practicing medicine and surgery in the State of Wisconsin, but is licensed and practicing medicine and surgery in the State of Minnesota.
9. The State of Minnesota Board of Medical Practice investigated the underlying issues which are the basis of the pending complaint in Wisconsin and, after consideration, closed their investigation without further action.
10. Respondent has cooperated fully throughout this investigation.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this proceeding pursuant to sec. 448.02, Stats.
2. The Wisconsin Medical Examining Board has the authority to resolve this proceeding by stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that the Medical Examining Board recognizes the completion of the continuing medical education courses as adequately addressing the reeducational concerns raised by Respondent's conduct as set forth in the formal Complaint.

IT IS FURTHER ORDERED that Dr. Romeyn shall not utilize donor directed live allograft tissue in any procedure requiring the transplantation of allograft tissue for ligament repair.

In the future, should Dr. Romeyn wish to resume any ligament repair procedures utilizing donor directed live allograft tissue, Dr. Romeyn shall notify the State of Wisconsin Medical Examining Board of his intentions prior to the performance of any such procedures and shall submit the procedure criteria for each patient to an Institutional Review Board (IRB) of an accredited hospital for evaluation and approval. Dr. Romeyn agrees that he shall follow all requirements of the IRB for performance of this procedure, including all necessary testing of the recipients, donors and donor tissue and the obtaining and documenting of informed consent from all donors and recipients.

Prior to performing any such procedures Dr. Romeyn shall provide the Board with a copy of all IRB documents approving the procedures and setting forth the conditions under which the procedures must be performed.

IT IS FURTHER ORDERED that any documents required to be filed with the Wisconsin Medical Examining Board be filed with:

Department Monitor
Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
1400 East Washington Ave.
Madison, WI 53708-8935

All documents required to be filed with the Wisconsin Medical Examining Board will be deemed filed with the Wisconsin Medical Examining Board upon receipt by the Department Monitor.

IT IS FURTHER ORDERED THAT Richard L. Romeyn, M.D. shall pay costs in this matter in the amount of \$1200 to the Department of Regulation and Licensing, 1400 East Washington Avenue, P.O Box 8935, Madison, Wisconsin 53708-8935 within thirty (30) days of the effective date of this Order.

IT IS FURTHER ORDERED that pursuant to sec. 448.02(4), Stats., if the Wisconsin Medical Examining Board determines that there is probable cause to believe that Richard L. Romeyn, M.D. has violated the terms of this Final Decision And Order of the Wisconsin Medical Examining Board, the Board may order that the license of Dr. Romeyn to practice medicine and surgery in the state of Wisconsin be summarily suspended pending investigation of the alleged violation.

The rights of a party aggrieved by this Final Decision and Order to petition the Wisconsin Medical Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin, this 23rd day of April, 2003.

WISCONSIN MEDICAL EXAMINING BOARD

Alfred L. Franger, M.D.

Secretary