

LICENSE NO. G-5553

IN THE MATTER OF
THE LICENSE OF
ANTHONI RE ROMACK, M.D.

BEFORE THE
TEXAS MEDICAL BOARD

AGREED VOLUNTARY SURRENDER ORDER

On the 6th day of November, 2009, came on to be heard before the Texas Medical Board (the "Board"), duly in session, the matter of the license of Anthoni Re Romack, M.D. ("Respondent").

On August 27, 2009, Respondent appeared in person, with counsel Courtney Newton, at an Informal Show Compliance Proceeding and Settlement Conference in response to a letter of invitation from the staff of the Board. The Board's representatives were Timothy Webb, J.D., a member of the Board, and Kathy Flanagan, M.D., a member of a District Review Committee. Darrin Dest represented Board staff.

With the consent of Respondent, the Board makes the following Findings of Fact and Conclusions of Law and enters this Agreed Order.

FINDINGS OF FACT

The Board finds that:

1. Respondent received all notice required by law. All jurisdictional requirements have been satisfied. Respondent waives any defect in notice and any further right to notice or hearing under the Medical Practice Act, Title 3, Subtitle B, Texas Occupations Code (the "Act") or the Rules of the Board.

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2. Respondent currently holds Texas Medical License No. G-5553. Respondent was originally issued this license to practice medicine in Texas on August 27, 1983. Respondent is not licensed to practice in any other state.

3. Respondent is primarily engaged in the practice of psychiatry. Respondent is board certified by the American Board of Psychiatry, a member of the American Board of Medical Specialties.

4. Respondent is 52 years of age.

5. Respondent has not received a prior disciplinary order from the Board.

6. The Board found that Respondent prescribed non-therapeutically on multiple occasions, and failed to document the indications for prescriptions of highly-addictive medications.

7. After the 2009 ISC, Respondent, wishing to retire, closed his practice on August 31, 2009.

8. Respondent denies he violated any provisions of the Act, but wishes to voluntarily and permanently surrender his Texas medical license, and has surrendered his medical license, in lieu of hearing or further investigation of alleged violations of the Act.

9. Respondent has cooperated in the investigation of the allegations related to this Agreed Order. Respondent's cooperation, through consent to this Agreed Order, pursuant to the provisions of Section 164.002 the Act, will save money and resources for the State of Texas. To avoid further investigation, hearings, and the expense and inconvenience of litigation, Respondent agrees to the entry of this Agreed Order and to comply with its terms and conditions.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the Board concludes that:

1. The Board has jurisdiction over the subject matter and Respondent pursuant to the Act.

2. Section 164.061 of the Act and 22 Tex. Admin. Code 196.1 authorizes the Board to accept the voluntary and permanent surrender of Respondent's Texas medical license.

3. Section 164.051(a)(3) of the Act authorizes the Board to take disciplinary action against Respondent based on Respondent's commission or attempt to commit a direct or indirect violation of a rule adopted under this Act, either as a principal, accessory, or accomplice, specifically Board Rules: 165.1, failure to maintain adequate medical records; and 170, failure to follow pain management guidelines.

4. Section 164.001 of the Act authorizes the Board to impose a range of disciplinary actions against a person for violation of the Act or a Board rule. Such sanctions include: revocation, suspension, probation, public reprimand, limitation or restriction on practice, counseling or treatment, required educational or counseling programs, monitored practice, public service, and an administrative penalty.

5. Section 164.002(a) of the Act authorizes the Board to resolve and make a disposition of this matter through an Agreed Order.

6. Section 164.002(d) of the Act provides that this Agreed Order is a settlement agreement under the Texas Rules of Evidence for purposes of civil litigation.

ORDER

Based on the above Findings of Fact and Conclusions of Law, the Board ORDERS that:

1. The voluntary and permanent surrender of Respondent's Texas license should be, and is, accepted by the Board effective on the date this Order is signed by the President of the Board.
2. Respondent's Texas Medical License G-5553 is, therefore, permanently canceled.
3. Respondent shall immediately cease practice in Texas. Respondent's practice after the date of entry of this Agreed Order shall constitute a violation of this Order, subjecting Respondent to disciplinary action by the Board or prosecution for practicing without a license in Texas.
4. Respondent shall not petition the Board for reinstatement of his Texas license.
5. By this voluntary and permanent surrender of Respondent's Texas medical license, Respondent resolves any complaints currently before the Board.

RESPONDENT WAIVES ANY FURTHER HEARINGS OR APPEALS TO THE BOARD OR TO ANY COURT IN REGARD TO ALL TERMS AND CONDITIONS OF THIS AGREED ORDER. RESPONDENT AGREES THAT THIS IS A FINAL ORDER.

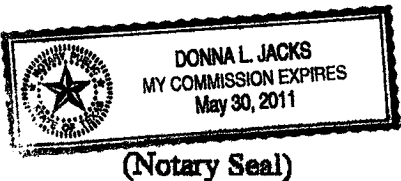
THIS ORDER IS A PUBLIC RECORD.

I, ANTHONI RE ROMACK, M.D., HAVE READ AND UNDERSTAND THE FOREGOING AGREED ORDER. I UNDERSTAND THAT BY SIGNING, I WAIVE CERTAIN RIGHTS. I SIGN IT VOLUNTARILY. I UNDERSTAND THIS AGREED ORDER CONTAINS THE ENTIRE AGREEMENT AND THERE IS NO OTHER AGREEMENT OF ANY KIND, VERBAL, WRITTEN OR OTHERWISE.

Anthony Re Romack
ANTHONI RE ROMACK, M.D.
Respondent

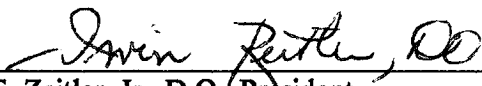
STATE OF Texas §
COUNTY OF Van Zandt §
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SWORN TO AND ACKNOWLEDGED BEFORE ME, the undersigned Notary Public, on this 26 day of October, 2009.



Donna L. Jacks
Signature of Notary Public

SIGNED AND ENTERED by the presiding officer of the Texas Medical Board on this
16th day of November, 2009.



Irvin E. Zeitler, Jr., D.O., President
Texas Medical Board