

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **RONALD MILLER, M.D.**

4 Holder of License No. 43230
5 For the Practice of Allopathic Medicine In
the State of Arizona.

Case No. MD-23-0821A

**ORDER FOR DECREE OF CENSURE
AND PROBATION; AND CONSENT
TO THE SAME**

6 Ronald Miller, M.D. ("Respondent") elects to permanently waive any right to a
7 hearing and appeal with respect to this Order for Decree of Censure and Probation;
8 admits to the jurisdiction of the Arizona Medical Board ("Board"); and consent to the
9 entry of this Order by the Board.

10 **FINDINGS OF FACT**

11 1. The Board is the duly constituted authority for the regulation and control of
12 the practice of allopathic medicine in the State of Arizona.

13 2. Respondent is the holder of license number 43230 for the practice of
14 allopathic medicine in the State of Arizona.

15 3. Respondent's license is subject to terms and conditions of an Order for
16 Letter of Reprimand and Probation; and Consent to Same entered in MD-19-1151A.
17 ("Original Order") The Original Order requires Respondent to comply with terms and
18 conditions of monitoring through the Board's Physician Health Program ("PHP").

19 4. The Board initiated case number MD-23-0821A after receiving a complaint
20 regarding Respondent's care and treatment of Patient RA, alleging that Respondent
21 exhibited erratic and unprofessional behavior while treating RA in the Hospital between
22 August 6-8, 2023.

23 5. Respondent notified the PHP Monitor of his employment at the Hospital in
February 2023.

24 6. During the August 2023 time frame, Respondent was undergoing
25 monitoring pursuant to the Original Order, and there were no positive test results to

1 indicate he was impaired while providing medical care to Patient RA or any other patient
2 during that time frame. Additionally, Respondent denies being under the influence while
3 providing care to Patient RA or any other patient.

4 7. Records from the Hospital obtained by Board staff document multiple
5 complaints of unprofessional and inappropriate communication between March and
6 August of 2023. On July 15, 2023, the Hospital reviewed the Medical Staff Code of
7 Conduct with Respondent and documented an expectation that Respondent improve his
8 communication with team members. On September 12, 2023, the Hospital terminated
9 Respondent.

10 8. On December 14, 2023, four months after providing care to Patient RA
11 and according to Respondent unrelated to his care of Patient RA, the PHP Monitor
12 reported that Respondent had a positive test for alcohol in violation of the terms of the
13 Original Order.

14 9. The Original Order states in relevant part:

15 In the event of a chemical dependency relapse by Respondent or
16 Respondent's use of controlled substances or alcohol in violation of this
17 Order, Respondent shall promptly enter into an Interim Consent Agreement
18 for Practice Restriction that requires, among other things, that Respondent
19 not practice medicine until such time as Respondent successfully
20 completes long-term inpatient treatment designated by the PHP and
21 obtains affirmative approval from the Executive Director, in consultation
22 with the Lead Board Member and Chief Medical Consultant, to return to the
23 practice of medicine. Prior to approving Respondent's request to return to
24 the practice of medicine, Respondent may be required to undergo any
25 combination of physical examinations, psychiatric or psychological
evaluations. In no respect shall the terms of this paragraph restrict the
Board's authority to initiate and taken disciplinary action for any violation of
this Order.

10. Effective December 22, 2023, Respondent entered into an Interim
Consent Agreement for Practice Restriction that prohibited him from practicing medicine
in the State of Arizona until the Interim Consent Agreement was lifted or the Board
resolved the underlying matter to allow him to return to the practice of medicine.

1 11. From January 12, 2024 to February 11, 2024, Respondent completed
2 inpatient treatment at a Board approved Facility.

3 12. On February 15, 2024, Respondent entered into an Intensive Outpatient
4 Treatment Program (“IOP”) with a Board approved Provider.

5 13. Respondent underwent a post-treatment Assessment with a Board
6 approved Assessor. Respondent initially denied consuming prior to the December
7 positive test, but ultimately did admit that he consumed alcohol in the form of kefir (a type
8 of fermented milk) in violation of the Original Order. The Assessor opined that
9 Respondent would be safe to practice medicine in compliance with the requirements for
10 PHP monitoring for an additional two years.

11 14. During the course of the Board’s investigation, Board staff requested
12 Medical Consultant (“MC”) review of Respondent’s care and treatment of RA.

13 15. On August 5, 2023, RA was admitted to the Hospital with a left hip fracture
14 after a fall.

15 16. On August 6, 2023, an orthopedic surgeon recommended a total hip
16 replacement to be performed the next day. An echocardiogram showed first degree
17 heart block with left axis deviation. Cardiology was consulted and cleared RA for
18 emergency surgery.

19 17. On August 7, 2023, RA was seen by Respondent who noted that the
20 patient was upset that he was unable to have surgery on the previous day. RA reported
21 that he had expressed concerns regarding the delay in surgery and the risk of blood clot
22 from laying supine for 36 hours. RA alleged that Respondent failed to provide direct
23 responses to his questions and interrupted him, which Respondent denies. RA further
24 alleged that, in his opinion, Respondent appeared to be angry, agitated, defensive and
25 loud, which Respondent also denies. RA underwent surgery later that day.

1 18. On August 8, 2023, RA was seen by Respondent who noted that the
2 patient was upset that he had not been seen by physical therapy. RA alleged that
3 Respondent was dismissive of his concerns, with Respondent denies. RA gave his
4 personal opinion that Respondent's behaviors may indicate potential impairment. RA
5 filed a complaint with the Hospital and a new hospitalist was assigned to his case.
6 Subsequently, RA was seen by physical therapy and discharged home with home
7 health.

8 19. As noted above, during the August 2023 time frame, Respondent was
9 undergoing monitoring pursuant to the Original Order, and there were no positive test
10 results to indicate he was impaired while providing medical care to Patient RA

11 20. The standard of care requires a physician to address patient concerns.
12 The Medical Consultant found Respondent deviated from the standard of care by failing
13 to address the patient's concerns regarding pre- and post-operative risks of
14 complications due to a delay in care.

15 21. There was no actual harm to the patient but there was a potential for
16 patient harm due to the patient's frustration and lack of confidence in Respondent's care.

CONCLUSIONS OF LAW

17 1. The Board possesses jurisdiction over the subject matter hereof and over
18 Respondent.

19 2. The conduct and circumstances described above constitute
20 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(r) ("Committing any conduct or
21 practice this is or might be harmful or dangerous to the health of the patient or the
22 public.").

23 3. The conduct and circumstances described above constitute
24 unprofessional conduct pursuant to A.R.S. § 32-1401(27)(s) ("Violating a formal order,
25

1 probation, consent agreement or stipulation issued or entered into by the board or its
2 executive director under the provisions of this chapter.”).

3 4 **ORDER**

5 IT IS HEREBY ORDERED THAT:

- 6 1. Respondent is issued a Decree of Censure.
- 7 2. Respondent shall provide the Board with proof that Respondent has
8 enrolled in the Elevating Civility and Communication in Health Care (CC-30 Extended)
9 course offered by the Professional Boundaries, Inc. (“PBI”). Respondent shall complete
10 the pre-course assignments and live virtual portion of the course within six (6) months of
11 the date of this Order.

12 **Probation**

- 13 3. Respondent is placed on Probation for one year and six months from the
14 date of this Order.
- 15 4. While on Probation, Respondent shall enroll in and successfully complete
16 the Maintenance and Accountability Seminars required by the CC-30 Extended course.
17 Respondent shall comply with any and all requirements and practice recommendation
18 made by his PBI facility as well as any and all recommendations made for further
19 education and/or remediation by PBI, subject to the approval of the Board or its staff.
20 Respondent shall provide Board staff with proof that he successfully completed all
21 seminars. Respondent shall sign any and all consents or releases necessary to allow for
22 PBI to communicate to the Board directly and furnish PBI’s “AIR” Letter after completion
23 of the required CME. Respondent shall be responsible for the expenses of participation
24 in the maintenance and accountability seminars and shall notify the Board staff of
25 enrollment in them. Respondent shall not revoke any release prior to successful

1 completion of the CME and maintenance and accountability seminars. The CME hours
2 shall be in addition to the hours required for the biennial renewal of medical licensure.

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5 **During the period of Probation, Respondent shall abide by the following terms**

6 5. Respondent shall not consume alcohol or any food or other substance
7 containing poppy seeds or alcohol.

8 6. Respondent shall not take any illegal drugs or mood altering medications
9 unless prescribed for a legitimate therapeutic purpose.

10 7. Respondent shall continue to participate in any personalized aftercare
11 programs or activities as recommended by the PHP. Respondent shall report on those
12 activities as requested by the PHP, including executing any releases necessary to allow
13 the PHP to monitor his participation and communication directly with and obtain records
14 from the treating providers for those aftercare activities. Respondent shall be
15 responsible for all costs of aftercare, including costs associated with compliance of this
16 Board Order.

17 8. Respondent shall promptly obtain a Primary Care Physician ("PCP" and
18 shall submit the name of the physician to the PHP Monitor in writing for approval. Except
19 in an Emergency, Respondent shall obtain medical care and treatment only from the
20 PCP and from health care providers to whom the PCP refers Respondent. Respondent
21 shall promptly provide a copy of this Order to the PCP. Respondent shall also inform all
22 other health care providers who provide medical care or treatment that Respondent is
23 participating in the PHP. "Emergency" means a serious accident or sudden illness that,
24 if not treated immediately, may result in a long-term medical problem or loss of life.

25 9. All prescriptions for controlled substances shall be approved by the PHP
Monitor prior to being filled except in an Emergency. Controlled substance prescribed

1 and filled in an emergency shall be reported to the PHP within 48 hours. Respondent
2 shall take no Medication unless the PCP or other health care provider to whom the PCP
3 refers Respondent prescribes and the PHP Monitor approves the Medication.
4 Respondent shall not self-prescribe any Medication. "Medication" means a prescription-
5 only drug, controlled substance, and over-the-counter preparation, other than plain
6 aspirin, plain ibuprofen, and plain acetaminophen.

7 10. If recommended by the PHP Monitor, Respondent shall attend a relapse
8 prevention outpatient program for a duration and frequency recommended by the PHP
9 Monitor, unless Respondent is excused by the relapse program facilitator for good
10 cause. The relapse prevention group facilitators shall submit monthly reports to the PHP
11 regarding Respondent's attendance and progress.

12 11. Respondent shall continue treatment with a PHP Monitor approved
13 addiction psychiatrist or addiction medicine specialist and shall comply with any and all
14 treatment recommendations, including taking any and all prescribed medications.
15 Respondent shall instruct the treating provider to submit quarterly written reports to the
16 PHP regarding diagnosis, prognosis, current medications, recommendation for
17 continuing care and treatment, and ability to safely practice medicine. The reports shall
18 be submitted quarterly to the PHP, the commencement of which to be determined by the
19 PHP Monitor. Respondent shall give the treating providers a copy of this Order.
20 Respondent shall pay the expenses for treatment and be responsible for paying for the
21 preparation of the quarterly reports.

22 12. If requested by the PHP and not already completed, Respondent shall
23 attend ninety 12-step meetings or other self-help group meetings appropriate for
24 substance abuse and approved by the PHP, for a period of ninety days. Upon
25 completion of the ninety meetings in ninety days, Respondent shall participate in a 12-
step recovery program or other self-help program appropriate for substance abuse as

1 recommended by the PHP. Respondent shall attend a minimum of three 12-step or
2 other self-help program meetings per week. Two meetings per month must be
3 Caduceus meetings. Respondent must maintain a log of all self-help meeting.

4 13. Respondent shall continue monitoring with SoberLink, as well as submit to
5 random biological fluid, hair and/or nail testing for the remainder of this Order (as
6 specifically directed below) to ensure compliance with the PHP.

7 14. Respondent shall provide the PHP Monitor in writing with one telephone
8 number that shall be used to contact Respondent on a 24-hour per day/seven day per
9 week basis to submit to biological fluid, hair, and/or nail testing to ensure compliance
10 with the PHP. For the purposes of this section, telephonic notice shall be deemed to be
11 given at the time a message to appear is left at the contact telephone number provided
12 by the Respondent. Respondent authorizes any person or organization conducting tests
13 on the collected samples to provide testing results to the PHP Monitor. Respondent
14 shall comply with all requirements for biological fluid, hair, and/or nail collection.
15 Respondent shall pay for all costs for the testing.

16 15. Respondent shall provide the PHP Monitor with written notice of any plans
17 to travel out of state.

18 16. Respondent shall immediately notify the Board and the PHP Monitor in
19 writing of any change in office or home addresses and telephone number. Respondent
20 shall immediately notify the PHP Monitor regarding any new medical employment of any
21 type.

22 17. Respondent provides full consent for the PHP Monitor to discuss the
23 Respondent's case with the Respondent's PCP or any other health care providers to
24 ensure compliance with the PHP.

25 18. The relationship between the Respondent and the PHP Monitor is a direct
relationship. Respondent shall not use an attorney or other intermediary to communicate

1 with the PHP Monitor on participation and compliance issues. All inquiries must be
2 directed to Board staff.

3 19. Respondent shall be responsible for all costs, including costs associated
4 with participating in the PHP, at the time services are rendered or within 30 days of each
5 invoice sent to Respondent. An initial deposit of two (2) months PHP fees is due upon
6 entering the program. Failure to pay either the initial PHP deposit or monthly fees 60
7 days after invoicing will be reported to the Board by the PHP Monitor and may result in
8 disciplinary action.

9 20. Respondent shall appear in person with the PHP Monitor for interviews
10 upon request upon reasonable notice.

11 21. Respondent shall immediately provide a copy of this Order to all
12 employers, hospitals and free-standing surgery centers where Respondent currently has
13 or in the future gains or applies for employment or privileges. Within 30 days of the date
14 of this Order, Respondent shall provide the PHP with a signed statement of compliance
15 with this notification requirement. Respondent is further required to notify, in writing, all
16 employers, hospitals and free-standing surgery centers where Respondent currently has
17 or in the future gains or applies for employment or privileges of a violation of this Order.

18 22. In the event Respondent resides or practices as a physician in a state
19 other than Arizona, Respondent shall participate in the rehabilitation program sponsored
20 by that state's medical licensing authority or medical society. Respondent shall cause
21 the monitoring state's program to provide written quarterly reports to the PHP Monitor
22 regarding Respondent's attendance, participation, and monitoring. The monitoring
23 state's program and Respondent shall immediately notify the PHP Monitor if Respondent
24 is non-compliant with any aspect of the monitoring requirements or is required to
25 undergo any additional treatment.

1 23. The PHP Monitor shall immediately notify the Board if Respondent is non-
2 compliant with any aspect of this Order or is required to undergo any additional
3 treatment.

4 24. In the event of a violation of A.R.S. § 32-1401(27)(f) by Respondent or
5 Respondent's use of drugs or alcohol in violation of the Order, Respondent's license
6 shall be **summarily suspended pending a hearing for potential revocation**. In the
7 alternative, Respondent may **SURRENDER THE LICENSE** if Respondent agrees in
8 writing to being impaired by alcohol or drug abuse. A.R.S. § 32-1452(G).

9 25. Respondent shall obey all state, federal and local laws, all rules governing
10 the practice of medicine in Arizona, and remain in full compliance with any court ordered
11 criminal probation, payments or other orders.

12 26. Respondent may not request early termination of Probation, and the
13 Probation shall not terminate except upon affirmative request of Respondent and
14 approval by the Board. Prior to the termination of Probation, Respondent must submit a
15 written request to the Board for release from the terms of this Order. Respondent's
16 request for release will be placed on the next pending Board agenda, providing a
17 complete submission is received by Board staff no less than 30 days prior to the Board
18 meeting. Respondent's request for release must provide the Board with evidence
19 establishing that he has successfully satisfied all of the terms and conditions of this
20 Order including a recommendation from the PHP Monitor that monitoring is no longer
21 required. The Board has the sole discretion to determine whether all of the terms and
22 conditions of this Order have been met or whether to take any other action that is
23 consistent with its statutory and regulatory authority including any combination of
24 examinations and/or evaluations in order to determine whether Respondent is safe to
25 return to the unmonitored practice of medicine.

27. This Order supersedes any and all Consent Agreements previously entered into by Respondent and the Board regarding this matter and the Original Order is terminated upon the effective date of this Order.

28. The Board retains jurisdiction and may initiate new action against Respondent based upon any violation of this Order. A.R.S. § 32-1401(27)(s).

DATED AND EFFECTIVE this 18th day of October, 2024.

ARIZONA MEDICAL BOARD

By Patricia E McSorley
Patricia E. McSorley
Executive Director

CONSENT TO ENTRY OF ORDER

1. Respondent has read and understand this Consent Agreement and the stipulated Findings of Fact, Conclusions of Law and Order ("Order"). Respondent acknowledges he has the right to consult with legal counsel regarding this matter.

2. Respondent acknowledges and agrees that this Order is entered into freely and voluntarily and that no promise was made or coercion used to induce such entry.

3. By consenting to this Order, Respondent voluntarily relinquishes any rights to a hearing or judicial review in state or federal court on the matters alleged, or to challenge this Order in its entirety as issued by the Board, and waives any other cause of action related thereto or arising from said Order.

4. This Order is not effective until approved by the Board and signed by its Executive Director.

5. All admissions made by Respondent in this Order are solely for final disposition of this matter and any subsequent related administrative proceedings or civil litigation involving the Board and Respondent. Therefore, said admissions by

1 Respondent are not intended or made for any other use, such as in the context of
2 another state or federal government regulatory agency proceeding, civil or criminal court
3 proceeding, in the State of Arizona or any other state or federal court.

4 6. Upon signing this agreement, and returning this document (or a copy
5 thereof) to the Board's Executive Director, Respondent may not revoke the consent to
6 the entry of the Order. Respondent may not make any modifications to the document.
7 Any modifications to this original document are ineffective and void unless mutually
8 approved by the parties.

9 7. This Order is a public record that will be publicly disseminated as a formal
10 disciplinary action of the Board and will be reported in the National Practitioner's Data
11 Bank and on the Board's website as a disciplinary action.

12 8. If any part of the Order is later declared void or otherwise unenforceable,
13 the remainder of the Order in its entirety shall remain in force and effect.

14 9. If the Board does not adopt this Order, Respondent will not assert as a
15 defense that the Board's consideration of the Order constitutes bias, prejudice,
16 prejudgment or other similar defense.

17 10. Any violation of this Order constitutes unprofessional conduct and may
18 result in disciplinary action. A.R.S. § 32-1401(27)(s) ("[v]iolating a formal order,
19 probation, consent agreement or stipulation issued or entered into by the board or its
20 executive director under this chapter." And 32-1451.

21 11. Respondent acknowledges that, pursuant to A.R.S. § 32-2501(17),
22 Respondent cannot act as a supervising physician for a physician assistant while
23 Respondent's license is on probation.

24 12. **Respondent has read and understands the conditions of Probation.**

25 Ronald Miller, M.D.
RONALD MILLER, M.D.

DATED: 10/17/2024

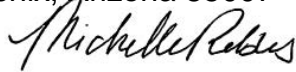
1 EXECUTED COPY of the foregoing e-
2 mailed this 18th day of October, 2024 to:

3 Ronald Miller, M.D.
4 Address of Record

5 Physician Health Program
6 Address on File

7 ORIGINAL of the foregoing filed
8 this 18th day of October, 2024 with:

9 Arizona Medical Board
10 1740 West Adams, Suite 4000
11 Phoenix, Arizona 85007



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13 Board staff
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