

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROBERT A. MILLER, L.P.C., S.A.C.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: **ORDER 0006328**

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Division of Legal Services and Compliance Case No. 17 RSA 012

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Robert A. Miller, L.P.C., S.A.C.  
1052 Main St., Ste 202  
Stevens Point, WI 54481-2848

Wisconsin Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368

Division of Legal Services and Compliance  
Wisconsin Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Robert A. Miller, L.P.C., S.A.C., (DOB November 28, 1954) is certified in the state of Wisconsin to practice substance abuse counseling, having certification number 15193-131, first issued on November 9, 2006, and current through February 28, 2021.<sup>1</sup> Respondent's most recent address on file with the Department is 1052 Main Street, Suite 202, Stevens Point, Wisconsin 54481-2848.

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<sup>1</sup> Respondent is licensed in the state of Wisconsin to practice professional counseling, having license number 3254-125, first issued on January 23, 2003, and current through February 28, 2021.

2. At all times relevant to this proceeding, Respondent was employed as a substance abuse counselor at a Counseling Center, located in Stevens Point, Wisconsin.

3. Detective A, with the Stevens Point Police Department, received complaints regarding Respondent's which included: making inappropriate comments to clients, asking for the phone number of a client's marijuana dealer so he could buy some, allowing a patient to stay at his home, dating a patient, and viewing pornography on a work computer.

4. Detective A scheduled an interview with Respondent. In the interview, Respondent admitted he gets "too familiar too soon" with clients and was "flippant" with clients.

5. During the interview, Respondent acknowledged giving out his personal phone number to clients.

6. Respondent also admitted that he dated a female client, less than six (6) months after he began working with her.

7. In addition, Respondent came clean to viewing adult pornography on his work computer in the office.

8. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction to act in this matter pursuant to Wis. Stat. § 440.88, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

1. By the conduct described in the Findings of Fact, Robert A. Miller, L.P.C., S.A.C., engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(m), by engaging in inappropriate sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a patient. For the purposes of this subsection, an adult shall continue to be a patient for 2 years after the termination of professional services.

2. By the conduct described in the Findings of Fact, Robert A. Miller, L.P.C., S.A.C., engaged in unprofessional conduct as defined by Wis. Admin. Code § SPS 164.01(2)(n), by failing to avoid dual relationships or relationships that may impair the substance abuse professional's objectivity or create a conflict of interest.

#### ORDER

1. The attached Stipulation is accepted.

2. The certificate to practice substance abuse counseling in the state of Wisconsin issued to Robert A. Miller, L.P.C., S.A.C., (certificate number 15193-131) is SUSPENDED for sixty (60) days from the date of this Order.

3. The certificate to practice as a substance abuse counselor issued to Robert A. Miller, L.P.C., S.A.C., (certificate no. 15193-131) is limited as follows:

- a. Respondent Robert A. Miller, L.P.C., S.A.C., must comply with all of the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 17 CPC 021.
- b. The Department shall remove this limitation from Respondent's license when Respondent has petitioned the Department and has satisfied the Department or its designee that Respondent has successfully complied with all of the requirements of the Final Decision and Order entered in the Division of Legal Services and Compliance Case Number 17 CPC 021.

4. Within ninety (90) days from the date of this Order, Robert A. Miller, L.P.C., S.A.C., shall pay COSTS of this matter in the amount of \$314.00.

5. Request for approval of courses, proof of successful course completion and payment of costs (made payable to the Wisconsin Department of Safety and Professional Services) shall be sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
[DSPSMonitoring@wisconsin.gov](mailto:DSPSMonitoring@wisconsin.gov)

You may also submit them online via the Department's Monitoring Case Management System at

<https://app.wi.gov/DSPSMonitoring>

6. In the event that Respondent violates any term of this Order, Respondent's certificate (no. 15193-131) to practice substance abuse counseling in the state of Wisconsin may, in the discretion of the Department or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Department may, in addition and/or in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

7. This Order is effective on the date of its signing.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: Aloysius Rohmeyer  
Aloysius Rohmeyer, Chief Counsel  
On Behalf of the Department

7-19-2019  
Date

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ROBERT A. MILLER, L.P.C., S.A.C.,  
RESPONDENT.

:  
:  
: STIPULATION

:  
:  
**ORDER 0006328**

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Division of Legal Services and Compliance Case No. 17 RSA 012

Respondent Robert A. Miller, L.P.C., S.A.C., and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Department of Safety and Professional Services (Department). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's Order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

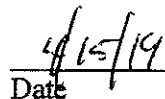
Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

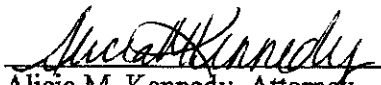
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.


7. Respondent is informed that should the Department adopt this Stipulation, the Department's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending that the Department adopt this Stipulation and issue the attached Final Decision and Order.

  
Robert A. Miller, L.P.C., S.A.C., Respondent  
1052 Main Street, Suite 202  
Stevens Point, WI 54481-2848  
Certificate no. 15193-131

  
Date

  
Alicia M. Kennedy, Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

  
Date