

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
TYLER D. MILLER, M.D., :  
RESPONDENT. : **ORDER 0007753**

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Division of Legal Services and Compliance Case No. 21 MED 283

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

Tyler D. Miller, M.D.  
Hudson, WI 54016

Wisconsin Medical Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
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 Medical Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Tyler D. Miller, M.D., (Year of Birth 1982) is licensed in the state of Wisconsin to practice medicine and surgery, having license number 73027-20, first issued on April 2, 2020, and with registration current through October 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Hudson, Wisconsin 54016.

2. At all times relevant to this proceeding, Respondent was employed as a physician at a facility located in Cumberland, Wisconsin (Facility).

3. On July 9, 2021, the Department received a complaint alleging that Respondent improperly issued prescriptions to family members.

4. Between August 20, 2020, and May 18, 2021, Respondent issued prescriptions and authorized refills to Patient A, Respondent's sibling, for amphetamine-dextroamphetamine and diazepam. Respondent did not conduct a physical examination or document a patient health care record related to the prescriptions.

5. Between November 5, 2020, and June 4, 2021, Respondent issued prescriptions and authorized refills to Patient B, Respondent's sibling, for amphetamine-dextroamphetamine. Respondent did not conduct a physical examination or document a patient health care record related to the prescriptions.

6. When Respondent's conduct was discovered by the Facility, he immediately ceased treating and/or prescribing to his siblings. Respondent remains employed with the Facility.

7. On October 16, 2021, Respondent completed education sponsored by the Annals of Internal Medicine entitled "American College of Physicians Ethics Manual, Seventh Edition" and was awarded ten (10) AMA category 1 PRA credits.

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

#### CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 448.02(3), and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Med 10.03(2)(c) by prescribing, ordering, dispensing, administering, supplying, selling, giving, or obtaining any prescription medication in any manner that is inconsistent with the standard of minimal competence.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § Med 10.03(3)(e), by failing to establish and maintain timely patient health care records, including records of prescription orders, under s. Med 21.03, or as otherwise required by law.

4. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 448.02(3).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent is REPRIMANDED.

3. The Board accepts the continuing education courses set forth in Findings of Fact paragraph No. 7 in satisfaction of continuing education the Board would otherwise require. Such courses may not be used in satisfaction of the statutory continuing education requirements for licensure or in future attempts to upgrade a credential in Wisconsin.

4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$599.00.

5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted to:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 266-2112; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov>.

6. In the event Respondent violates any term of this Order, Respondent's license (73027-20) or Respondent's right to renew his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. The Board 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 MEDICAL EXAMINING BOARD

By:   
A Member of the Board

15 December 2021  
Date

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

TYLER D. MILLER, M.D.,  
RESPONDENT.

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STIPULATION

**ORDER 0007753**

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Division of Legal Services and Compliance Case No. 21 MED 283

Respondent Tyler D. Miller, M.D., 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 Medical Examining Board (Board). 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 Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board 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 and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

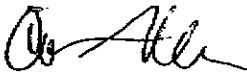
7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

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



Tyler D. Miller, M.D., Respondent  
Hudson, WI 54016  
License No. 73027-20

11/21/21  
Date



Colleen Meloy, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

November 24, 2021  
Date