

BEFORE THE
BOARD OF NATUROPATHIC MEDICINE
STATE OF OREGON

In the Matter of the License of:

Case No. 24-01-01

Michael Miller
Applicant

**FINAL ORDER – DEFAULT LICENSURE
DENIAL**

1.

The Board of Naturopathic Medicine (Board) is the state agency responsible for licensing, regulating, and disciplining naturopathic physicians in the State of Oregon. On or about December 23, 2023, Michael Miller (Applicant) applied for a license with the Oregon Board of Naturopathic Medicine to practice Naturopathic Medicine in the State of Oregon.

2.

Applicant held an active Arizona Naturopathic Medical License from 2012 through 2018. On and about November 16, 2018, Applicant entered into a Consent Agreement for Voluntary [Licensure] Surrender (Consent Order) with the Arizona Naturopathic Medical Board.

3.

Pursuant to ORS 685.125, on / about March 29, 2024, the Board issued a Notice of Proposed License Denial and Opportunity for Hearing denying applicants a license on the grounds described in the Notice of Proposed Discipline and incorporated herein. The Notice incorrectly informed Applicant of the right to request a hearing within 21-days. On / about May 6, 2024, the Board issued a corrected Notice of Denial of Licensure stating “If you fail to request a hearing within 60 days, withdraw a request for a hearing, notify the Board or administrative law judge that you will not appear or fail to timely appear at a scheduled hearing, the Board may issue a final order by default. If the Board issues a default order, the contents of the Board’s file automatically become part of the evidentiary record of this disciplinary action for the purpose of proving a prima facie case.” Applicant signed the certified mail receipt on/ about May 9, 2024 accepting service of the corrected Notice of Denial of Licensure and Opportunity for Hearing.

4.

On / about June 6, 2024, per OAR 850-001-0010, Applicant filed an answer to the Notice of Proposed Discipline and requested an Administrative Hearing per ORS 183.635.

5.

On / about April 28, 2025, Applicant was notified by the Oregon Department of Justice, General Council division, via US mail and electronic mail that this matter was referred to the Office of Administrative Hearings for an administrative hearing. Applicant was notified by the Office of Administrative Hearings via both US mail and electronic mail, that a pre-hearing was set on June 4, 2025, to schedule the date of the Administrative Hearing. Applicant failed to appear at the pre-hearing on June 4, 2025.

6.

At the pre-hearing conference June 4, 2025, the Administrative Hearings Office set a hearing date in this matter for November 4, 2025, at 9am. On or about June 4, 2025, applicant was notified by the Oregon Department of Justice, General Council division, via US mail and electronic mail that this matter was set administrative hearing on November 4, 2025 at 9am.

7.

On or about September 28, 2025, Applicant requested a postponement of the November 4, 2025, hearing date. On or about September 29, the Board objected, stating the Applicant has not shown good cause for the postponement. On / about October 3, 2025, the assigned Administrative Law Judge (ALJ) did not find good cause and denied the Applicant's request. On or about October 8, 2025, Applicant again requested a postponement of the November 4, 2025, hearing date. On or about October 9, the Board objected, stating the Applicant did not show good cause for the postponement in the second request. The assigned Administrative Law Judge did not find good cause and on / about October 13, 2025, denied the Applicant's request. On or about October 20, 2025, Applicant made a third request for a postponement of the November 4, 2025, hearing date. On or about October 21, the Board objected, stating the Applicant did not show good cause for the postponement in any / either of his requests. The assigned Administrative Law Judge on / about October 21, 2025, denied the Applicant's request, finding that Applicant has not established good cause for a postponement of the hearing in any of his requests.

8.

On or about October 26, 2025, Applicant sent an email to the assigned ALJ asking the court for "some sort of a settlement and withdrawal [of the] hearing [request]." On / about October 26, the assigned ALJ replied to applicant clarifying settlement negotiations must go through the assigned Assistant Attorney General and if Applicant wanted to withdraw his appeal, he must send a clear statement expressing his intent to withdraw to the court. On / about October 27, 2025 the Sr. Assistant Attorney General notified applicant via email "If you would like to withdraw your hearing request, the hearing will be cancelled, and the Board will issue a default final order in this matter denying your license on those grounds." On / about October 31, 2025, Applicant sent an email to the assigned ALJ in this matter – affirmatively stating he

“withdraw[s] my request for a hearing regarding Oregon Naturopathic Medical Doctor licensure...”

The Board issues this **Final Order – LICENSURE DENIAL by Default.**

NOW, THEREFORE, after consideration of the relevant records and files of the Board relating to this matter, the Board enters the following Findings of Fact, Conclusions of Law, and Final Order:

Findings of Fact & Conclusions of Law

9.

Applicant held an active Arizona Naturopathic Medical License from 2012 through 2018. On and about November 16, 2018, Applicant entered into a Consent Agreement for Voluntary [Licensure] Surrender (Consent Order) with the Arizona Naturopathic Medical Board.

10.

The Board denies Applicant a license as a naturopathic physician on the grounds described in the following paragraphs.

11.

Per the Consent Order findings of fact, Applicant treated Patient TC from on and about July 15, 2016, until March 1, 2017, for lower back and abdominal pain and severe anxiety.

- a. Applicant engaged in a sexual relationship with Patient TC while Patient TC was Applicant's Patient. Engaging in a sexual relationship with a patient is grounds for denial of Applicant's license under OAR 850-050-0190(4)(b) and ORS 685.110(23).
- b. Applicant prescribed Patient TC with opioids and benzodiazepines concurrently from July 2016-September 2016. Patient TC's medical records and chart notes were inadequate and did not provide justification or rationale for the medication Applicant prescribed. Patient TC's charts did not include diagnostic records pertaining to lower back pain, or medical records from prior treatment physicians or surgeries to evaluate Patient TC's pain and medical condition prior to prescribing opioid therapy. Applicant did not enter into an opioid agreement with Patient TC or complete or document other opioid risk assessments. Applicant did not chart or monitor Patient TC's compliance with the medication protocol, including required urine toxicology. Applicant did not enter into an opioid agreement with Patient TC or complete or document other opioid risk assessments. This conduct is grounds for denial of Applicant's license as it is negligent prescribing under OAR 850-050-0010(1)(c)(A) and ORS 685.110(8).
- c. Applicant medical records for patient TC lacked objective clinical tests, examinations or SOAP assessment, Risk Assessment tools, or opioid agreement,

nor documentation for several prescriptions issued from July 15, 2016, through March 1, 2017. Applicant also failed to maintain adequate legible medical records supporting the diagnosis, justify the treatment, accurately document the results, indicate advice and cautionary warnings, and provide sufficient information for continuity of care. This conduct is grounds for denial of Applicant's license as it is negligent treatment under OAR 850-050-0010(1)(c)(B) and ORS 685.110(8).

12.

Per the Consent Order findings of fact, Patient NS presented to Applicant on May 21, 2015, for complaints of back pain and seeking medical marijuana certification for medical marijuana. Applicant treated Patient NS for lower back pain from May 21, 2015, through March 5, 2018. Applicant did not maintain adequate medical records in that there was no documentation to explain why Patient NS refilled prescribed medication early, no documentation to show that Applicant ordered or reviewed diagnostic studies to properly evaluate her during early stages of treatment. This conduct is grounds for denial of Applicant's license as it is inadequate charting under OAR 850-050-0010(1)(a)(B) and ORS 685.110(23).

13.

Per the Consent Order findings of fact, Applicant treated Patient RS for knee pain and chronic headaches beginning on April 21, 2015.

- a. Applicant prescribed a Z-pac, Soma and Alprazolam. Applicant treated Patient RS with prescriptions for diazepam from September 28, 2016, through February 21, 2018. Patient RS presented to Applicant for treatment for "unspecified anxiety" for which he prescribed benzodiazepines without documenting or addressing other attempted modalities, non-benzodiazepines without documenting or addressing other attempted modalities. This conduct is grounds for denial of Applicant's license as it is negligent prescribing under OAR 850-050-0010(1)(c)(A) and ORS 685.110(8).
- b. Applicant certified Patient RS for medical marijuana but did not maintain adequate medical records containing sufficient information to identify the patient, support the diagnosis or justify treatment. Applicant did not document advising Patient RS on advice and cautionary warnings and provide sufficient information for continuity of care. Patient RS's medical records were inadequate in that there is no documentation of previous anxiety disorder, what modalities were tried, non-benzodiazepine therapies, evaluations, or behavioral counseling. Applicant did not chart a treatment plan other than medical marijuana and opioid prescribing. This conduct is grounds for denial of Applicant's license as it is inadequate charting under OAR 850-050-0010(1)(a)(B) and ORS 685.110(23).

14.

Applicant held an active Arizona Naturopathic Medical License from 2012 through 2018. On and about November 16, 2018, Applicant entered into a Consent Agreement for Voluntary [Licensure]

Surrender (Consent Order) with the Arizona Naturopathic Medical Board. Discipline by the Arizona Naturopathic Medical Board is grounds for denial of Applicant's license under OAR 850-050-0010(2) (a) (C) The licensee has previously been disciplined by the Board or in another jurisdiction.

Final Order

For the foregoing violations, both individually and together, the Board hereby orders **Denial of Licensure.**

DATED this __31__ day of __October__ 2025.

BOARD OF NATUROPATHIC MEDICINE
State of Oregon

A handwritten signature in black ink, appearing to read 'MB Baptista', with a long horizontal stroke extending to the right.

Mary-Beth Baptista, Executive Director

NOTICE OF RIGHT TO JUDICIAL REVIEW

You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review within 60 days from the service of this order. Judicial review is in accordance with ORS 183.482(1) to the Oregon Court of Appeals.