

BEFORE THE MINNESOTA

BOARD OF EXECUTIVES FOR LONG-TERM SERVICES AND SUPPORTS

In the Matter of
Emily Keys Miller, LALD
License No. 3551

**FINDINGS OF FACT,
CONCLUSIONS,
AND FINAL ORDER**

The above-entitled matter came on for a prehearing conference on September 9, 2025, before Administrative Law Judge (“ALJ”) Jessica A. Palmer-Denig at the request of the Minnesota Board of Executives for Long-Term Services and Supports (“Board”) Standards of Practice Committee (“Committee”). The matter was initiated pursuant to the Notice and Order for Prehearing Conference and Hearing (“Notice of Hearing”) issued by the Committee on August 6, 2025. Alex Mountain, Assistant Attorney General, represented the Committee. Licensee did not appear. The Committee moved for a recommendation of default judgment at the prehearing conference.

On October 20, 2025, the ALJ issued Findings of Fact, Conclusions of Law and Recommendation Upon Default (“ALJ’s report”), recommending the Board take disciplinary action against Licensee’s license. (A true and correct copy of the ALJ’s report is attached hereto and incorporated herein as Exhibit A.)

The Board convened to consider this matter at a regularly scheduled meeting on January 28, 2026, at 335 Randolph Avenue, Suite 210-B, St. Paul, Minnesota 55102, and via video conference. Alex Mountain, Assistant Attorney General, appeared on behalf of the Board Committee. Board members Katie Davis, Fred Dawe, Janet Perrault, and Cami Peterson-DeVries did not participate in deliberations and did not vote in the matter. Board staff members Rebecca Bollig, Director of Assisted Living, and Steve Jobe, Executive Director, did not participate in the

deliberations. Licensee did not appear. Jamal Zayed, Assistant Attorney General, was present as legal advisor to the Board.

FINDINGS OF FACT

The Board has reviewed the record of this proceeding and hereby accepts the ALJ's October 20, 2025 report and accordingly adopts and incorporates by reference the Findings of Fact therein. Paragraph 5 of the ALJ's Findings of Fact states that as provided under Minn. R. 1400.6000 (2025), Licensee's "failure to appear at the prehearing conference . . . may result in a finding that [Licensee is] in default." ALJ's report Exhibit A at A-2. Further, a "default means that the allegations contained in the notice and order for hearing may be taken as true [and] deemed proven without further evidence." *Id.*

The allegations contained in the Notice of Hearing are as follows:

1. On January 3, 2023, the Board granted Licensee an Assisted Living Director ("LALD") license.
2. Licensee worked as an LALD for an assisted living facility located in Forest Lake, Minnesota ("Facility"). On or about February 24, 2025, Facility terminated Licensee's employment once Facility discovered that Licensee diverted resident medication.
3. On April 28, 2025, following an investigation by the Minnesota Department of Health ("MDH"), the MDH substantiated maltreatment occurred when Licensee financially exploited a resident by diverting narcotic medications for her personal use on at least eight separate occasions.
4. The City of Wyoming Police Department investigated Licensee's conduct, and on or about March 28, 2025, Licensee admitted to a Wyoming Police Department Detective that she diverted at least six doses of Dilaudid for her own personal use.

CONCLUSIONS

The Board accepts the ALJ's October 20, 2025 report and accordingly adopts and incorporates the Conclusions of Law therein.

ORDER

Based on the foregoing Findings of Fact and Conclusions, the Board issues the following Order:

1. NOW, THEREFORE, IT IS HEREBY ORDERED that the Board **REVOKES** Licensee's license to practice as an assisted living director in the State of Minnesota. Licensee shall not engage in any conduct that constitutes the practice of an assisted living director as defined in Minnesota Rules 6400.5100, subpart 4c and shall not imply to any person by words or conduct that Licensee is authorized to practice as an assisted living director in the State of Minnesota.

2. IT IS FURTHER ORDERED that, if Licensee is in possession of her assisted living director license, Licensee shall surrender and personally deliver or mail the certificate to the Minnesota Board of Executives for Long Term Services and Supports, c/o Steve Jobe, Executive Director, 355 Randolph Avenue, Suite 210-B, St. Paul, MN 55102, within ten days of the date of this Order.

3. IT IS FURTHER ORDERED that Licensee may apply for relicensure following at least five years from the date of this Order and at such time as she is willing to respond to the Findings of Fact set forth above, has applied for reinstatement of her license and paid all required fees, and upon demonstration satisfactory to the Board of rehabilitation and fitness to practice. Licensee's license may be reissued, if at all, as the evidence dictates and based upon the need to protect the public. The burden of proof shall be upon Licensee to demonstrate by a preponderance of the evidence that she is capable of conducting herself in a fit and competent manner in the practice as an assisted living director. At the time of Licensee's petition, Licensee may be required to meet with a Board Committee to review her response to the Findings of Facts.

4. IT IS FURTHER ORDERED that Licensee shall meet all licensure requirements in effect at the time of her application, including but not limited to completing the appropriate application, paying the requisite fees, completing the appropriate education requirements, passing the required examinations, and completing any necessary continuing education requirements.

5. IT IS FURTHER ORDERED that Licensee's violation of this Order shall constitute violation of a Board order for purposes of Minnesota Rules 6400.7092, subpart 1(E) and provide grounds for further disciplinary action.

6. IT IS FURTHER ORDERED that the Board may, at any regularly scheduled meeting following Licensee's application for relicensure pursuant to paragraph 3 above, take any of the following actions:

- a. Issue an assisted living director license to Licensee;
- b. Issue an assisted living director license to Licensee with limitations upon the scope of Licensee's practice and/or with conditions for Licensee's practice; or
- c. Deny Licensee a license upon her failure to meet the burden of proof.

Dated: 1/22/26

MINNESOTA BOARD
OF EXECUTIVES FOR LONG-TERM
SERVICES AND SUPPORTS



PRESIDING BOARD MEMBER