

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**  
:  
BELLA YELIN, RN : LS05031010NUR  
RESPONDENT. :

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The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Bella Yelin  
8612 W. Poplar Dr.  
Mequon, WI 53097

Wisconsin Board of Nursing  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the 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

1. Bella [no middle name] Yelin (D.O.B. 7/8/54) is duly licensed in the state of Wisconsin as a professional nurse (license #116141). This license was first granted on 3/25/94.

2. On 9/29/04, respondent was convicted in the United States District Court for the Eastern District of Wisconsin of violating 18 USC §§1347 and 2, in that she participated in the filing of false and fraudulent claims for services provided to clients receiving Medicaid benefits between 1996 and 1998. The scheme was that Respondent, in her capacity as a registered nurse, certified that she had conducted home visits to supervise Personal Care Workers on behalf of "Cares R Us," a company in which she had no ownership interest nor supervisory responsibility. In fact, she either did not conduct the home visit on the date certified, or falsely certified that she observed the Personal Care Worker when, in fact, she had not because the Personal Care Worker was not at the home of the client when the home visit was conducted. Respondent was sentenced to 12 months of probation, and to pay a fine of \$1,000 and an assessment of \$100. Respondent had made restitution of \$27,500 before sentencing. As a result of this conviction, Respondent may be excluded from receiving any payment from Medicaid or Medicare for at least five years.

3. The Board notes that Respondent has furnished the Board with letters from her current supervisor, past supervisors, a nursing student, and several patients, who state that Respondent is an unusually dedicated, skilled and motivated nurse. Respondent has continued to work in the home health setting.

CONCLUSION OF LAW

By the conduct described above, respondent is subject to disciplinary action against her license to practice as a professional nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1)(b) and (d), and Wis. Adm. Code §§ N 7.04(1), (13), and (15).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that :

1. The license of Bella Yelin, RN, to practice as a nurse in the state of Wisconsin is **SUSPENDED** for an indefinite period, but such suspension is **STAYED** on condition that Respondent comply with the terms and conditions of this Order.
2. Respondent's license to practice nursing is **LIMITED** as follows:
  - a. Respondent shall practice only under the indirect supervision of a licensed professional nurse or other licensed health care professional approved by the Board and in a work setting pre-approved by the Board or its designated agent. Respondent shall not work more than 60 hours in any seven day period, nor more than 12 hours per day.
  - b. Respondent shall arrange for all employers to provide acceptable formal written reports to the Department Monitor in the Department of Regulation and Licensing, Division of Enforcement, P.O. Box 8935, Madison, Wisconsin 53708-8935, on a quarterly basis, as directed by the Department Monitor. These reports shall assess Respondent's work performance. Failure to perform acceptably at work shall constitute a violation of this Order.
  - c. Respondent shall provide her nursing employers with a copy of this Order before engaging in any nursing employment.
  - d. Respondent shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of a change.

After three years of active practice under this Order, respondent may petition the Board to have the limitations removed, and her unlimited license restored. It is entirely within the discretion of the Board whether to grant all or any part of any such petition, and refusal to grant all or any part of such a petition shall not constitute the denial of a license within the meaning of §227.01(3)(a), Stats., and shall not entitle Respondent to a hearing.

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to comply with the ordered continuing education, the Respondent's license **SHALL BE SUSPENDED**, without further notice or hearing, until Respondent has complied with the terms of this Order.

IT IS FURTHER ORDERED that respondent shall pay the costs of investigating and prosecuting this matter, in the amount of \$200, before her suspension is terminated.

WISCONSIN BOARD OF NURSING

By: Jacqueline Johnsrud  
A Member of the Board

3-10-05  
Date