

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KELLY N. BELL, R.N.,
RESPONDENT.

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FINAL DECISION AND ORDER

0003303

Division of Legal Services and Compliance Case No. 13 NUR 413

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

Kelly N. Bell, R.N.
14622 Kellywood Lane
Houston, TX 77079

Wisconsin Board of Nursing
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 Wisconsin Board of Nursing (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 Kelly N. Bell (dob March 19, 1982) is licensed in the State of Wisconsin as a professional nurse, having license number 195192-30, first issued on April 1, 2013. This license expired on February 28, 2014. Pursuant to Wis. Stat. § 440.08(3), Respondent retains the right to renew upon payment of a fee until February 28, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 14622 Kellywood Lane, Houston, Texas 77079.

2. At all times relevant to this proceeding, Respondent was employed as a professional nurse at a hospital (Hospital), located in Janesville, Wisconsin.

3. On June 9, 2013, Respondent was taken by ambulance to Hospital for medical issues related to her diabetes and a high blood alcohol content. While in the emergency room, Respondent accessed her electronic medical records from a workstation and fraudulently entered two physician verbal orders prescribing Provigil® for herself. Respondent entered the orders as being from two different physicians who both denied authorizing the orders.

4. Shortly afterwards, Respondent returned to her home state of Texas, where she enrolled in an in-patient AODA treatment facility.

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

CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07, 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 engaged in unprofessional conduct as defined in Wis. Admin. Code § N 7.04(6) by inappropriately altering patient records.

3. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1)(b) and (d).

ORDER

1. The attached Stipulation is accepted.

2. Respondent Kelly N. Bell, R.N., is REPRIMANDED.

3. The professional license issued to Respondent (license number 195192-30) to practice nursing in the State of Wisconsin, and her privilege to practice in Wisconsin pursuant to the Nurse Licensure Compact, is LIMITED as follows:

i. As soon as practicable, Respondent shall apply for enrollment in the Texas Peer Assistance Program for Nurses. Failure to comply with all requirements for participation in that program will be a substantial violation of this Order.

ii. Respondent shall report to the Board any change of address to Wisconsin and any commencement of the practice of nursing in Wisconsin, before such change or commencement of practice. Should Respondent apply for renewal of her Wisconsin

license, or otherwise seek to resume practicing as a nurse in this state while this order is in effect, the Board may apply such additional terms as it deems fit.

4. Within 120 days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$680.00.

5. 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 8935, Madison, WI 53708-8935
Telephone (608) 267-3817; Fax (608) 266-2264
DPSMonitoring@wisconsin.gov

6. 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 timely submit payment of the costs as ordered, Respondent's license (no. 195192-30) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

WISCONSIN BOARD OF NURSING

By: Judy A. Miller DNP, APRN
A Member of the Board

7.10.14
Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

KELLY N. BELL, R.N.,
RESPONDENT.

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:
:

STIPULATION

0003303

Division of Legal Services and Compliance Case No. 13 NUR 413

Respondent Kelly N. Bell, R.N., 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. Respondent
is represented by Attorney Christopher T. Kolb.

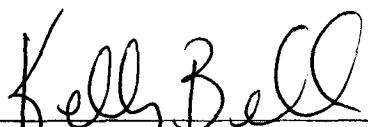
4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of
the attached Final Decision and Order without further notice, pleading, appearance or consent of
the parties. Respondent waives 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.

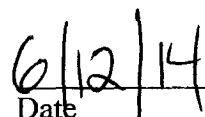
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, 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.

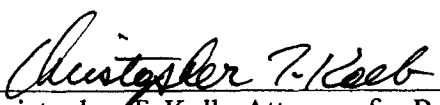
8. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Kelly N. Bell, R.N., Respondent
14622 Kellywood Lane
Houston, TX 77079
License no. 195192-30



Date



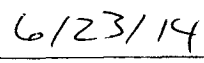
Christopher T. Kolb, Attorney for Respondent
Halling & Cayo, S.C.
320 E. Buffalo Street, Suite 700
Milwaukee, WI 53202



Date



Kim M. Kluck, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190



Date