



**Department  
of Health**

**KATHY HOCHUL**  
Governor

**JAMES V. McDONALD, M.D., M.P.H.**  
Commissioner

**JOHANNE E. MORNE, M.S.**  
Acting Executive Deputy Commissioner

December 4, 2023

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Bianca A. Belli, D.O.

Bianca A. Belli, D.O.

Nathaniel White, Esq.  
NYS Department of Health  
Corning Tower Room 2512  
Empire State Plaza  
Albany, New York 12237

**RE: In the Matter of Bianca A. Belli, D.O.**

Dear Parties:

Enclosed please find the Determination and Order (No. 23-248) of the Hearing Committee in the above referenced matter. This Determination and Order shall be deemed effective upon the receipt or seven (7) days after mailing by certified mail as per the provisions of §230, subdivision 10, paragraph (h) of the New York State Public Health Law.

Five days after receipt of this Order, you will be required to deliver to the Board of Professional Medical Conduct your license to practice medicine together with the registration certificate. Delivery shall be by either certified mail or in person to:

Office of Professional Medical Conduct  
New York State Department of Health  
Office of Professional Medical Conduct  
Riverview Center  
150 Broadway - Suite 355  
Albany, New York 12204

If your license or registration certificate is lost, misplaced or its whereabouts is otherwise unknown, you shall submit an affidavit to that effect. If subsequently you locate the requested items, they must then be delivered to the Office of Professional Medical Conduct in the manner noted above.

As prescribed by the New York State Public Health Law §230, subdivision 10, paragraph (i), (McKinney Supp. 2015) and §230-c subdivisions 1 through 5, (McKinney Supp. 2015), "the determination of a committee on professional medical conduct may be reviewed by the Administrative Review Board for professional medical conduct." Either the licensee or the Department may seek a review of a committee determination.

Request for review of the Committee's determination by the Administrative Review Board stays penalties other than suspension or revocation until final determination by that Board. Summary orders are not stayed by Administrative Review Board reviews.

All notices of review must be served, by certified mail, upon the Administrative Review Board and the adverse party within fourteen (14) days of service and receipt of the enclosed Determination and Order.

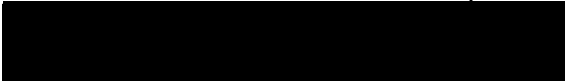
The notice of review served on the Administrative Review Board should be forwarded to:

Jean T. Carney, Administrative Law Judge  
New York State Department of Health  
Bureau of Adjudication  
Riverview Center  
150 Broadway – Suite 510  
Albany, New York 12204

The parties shall have 30 days from the notice of appeal in which to file their briefs to the Administrative Review Board. Six copies of all papers must also be sent to the attention of Ms. Carney at the above address and one copy to the other party. The stipulated record in this matter shall consist of the official hearing transcript(s) and all documents in evidence.

Parties will be notified by mail of the Administrative Review Board's Determination and Order.

Sincerely,

  
Natalie J. Bordeaux  
Chief Administrative Law Judge  
Bureau of Adjudication

NJB: nm  
Enclosure

STATE OF NEW YORK : DEPARTMENT OF HEALTH  
STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT

COPY

-----X  
IN THE MATTER  
OF  
BIANCA A. BELLI, D.O.  
-----X

DETERMINATION  
AND  
ORDER

BPMC-23-248

A Notice of Referral Proceeding and Statement of Charges dated October 26, 2023, were duly served upon Bianca A. Belli, D.O. (Respondent) pursuant to Public Health Law (PHL) § 230(10)(d)(i). (Exhibits 1, 2.) A hearing was held on November 29, 2023, via WebEx videoconference. Pursuant to PHL § 230(10)(e), **CASSANDRA E. HENDERSON, M.D., M.Sc., CDCES**, Chairperson, **PROSPERE REMY, M.D.**, and **MYRA M. NATHAN, Ph.D.**, duly designated members of the State Board for Professional Medical Conduct, served as the Hearing Committee. **NATALIE BORDEAUX**, Administrative Law Judge (ALJ), served as the administrative officer.

The Department appeared by Nathaniel White, Esq. The Respondent did not appear. The Hearing Committee received and examined documents from the Department (Exhibits 1-6). A transcript of the proceeding was made. After consideration of the entire hearing record, the Hearing Committee hereby issues this Determination and Order, sustaining the charge and revoking the Respondent's medical license. All findings, conclusions, and determinations are unanimous.

**BACKGROUND**

The Department brought the case pursuant to PHL § 230(10)(p), which provides for a hearing when a licensee is charged solely with a violation of Education Law § 6530(9). The Respondent is charged with professional misconduct pursuant to Education Law § 6530(9)(d), having disciplinary action taken against her medical license in Wisconsin after a disciplinary action was instituted by a

duly authorized professional agency of that state, where the conduct resulting in the disciplinary action would, if committed in New York state, constitute professional misconduct under the laws of New York. Under PHL § 230(10), the Department had the burden of proving its case by a preponderance of the evidence.

#### FINDINGS OF FACT

1. The Respondent was authorized to practice medicine in New York on December 3, 2015, under license number 282441. (Exhibit 5.)

2. By Final Decision and Order dated October 19, 2022, the Wisconsin Medical Examining Board (Wisconsin Board) adopted the Stipulation entered into between the Respondent and the Wisconsin Department of Safety and Professional Services' Division of Legal Services and Compliance to resolve charges that the Respondent engaged in unprofessional conduct by failing to establish and maintain timely patient health care records, including records of prescription orders, under Wisconsin Administrative Code § 21.03, or as otherwise required by law. The Respondent was reprimanded and ordered to successfully complete six hours of education on the topic of establishing and maintaining timely patient health records, including prescription orders. She was also required to pay costs of \$2,658 incurred with the Wisconsin Board's enforcement action. The Respondent consented to the conclusions of law and the penalty determination set forth in the Final Decision and Order. (Exhibit 6.)

#### DISCUSSION

Although duly notified of the date, time and place of the hearing, the Respondent did not appear on her own behalf or by representative. After due diligence as certified under oath, the Department was unable to personally serve the Respondent with the Notice of Referral Proceeding and Statement of Charges. On October 14, 2023, a process server arrived at an address identified in public records

as associated with the Respondent in Wisconsin but was informed that the Respondent no longer resided there. On October 25, 2023, a process server handed a copy of the Notice of Referral Proceeding and Statement of Charges to an individual bearing the same last name as the Respondent residing at another address associated with the Respondent, this one located in Illinois (Illinois address). That same day, the process server mailed a copy of the Notice of Referral Proceeding and Statement of Charges to the Respondent's attention at the Illinois address. (Exhibit 2.) On October 31, 2023, the Department emailed the Respondent at the email address she included on her New York medical license application and sent the Notice of Referral Proceeding and Statement of Charges via certified mail to the Respondent's attention at the Illinois address and an address in New York, the latter shown as the address of record with the New York State Education Department from the last period in which the Respondent registered. Although the mailing to the Respondent's last known New York address was never retrieved by the Respondent, the mailing to the address in Illinois was retrieved. Service was properly effectuated pursuant to PHL § 230(10)(d). (Exhibits 3-5.) Upon the Department having established jurisdiction and proper notice, the ALJ determined that the hearing could proceed on the merits despite the Respondent's absence.

The Respondent entered into a Stipulation with the Wisconsin Department of Safety and Professional Services, Division of Legal Services and Compliance (DLSC), ultimately accepted by the Wisconsin Board in a Final Decision and Order dated October 19, 2022, whereby the Respondent agreed that she had failed to establish and maintain timely patient health care records. The Hearing Committee agreed that the Respondent's conduct resulting in the Wisconsin Board's disciplinary action would, if committed in New York, constitute misconduct pursuant to Education Law § 6530(32), failing to maintain a record for each patient which accurately reflects the evaluation and

treatment of the patient. The Hearing Committee thus determined that the Respondent violated Education Law § 6530(9)(d).

After determining to sustain the charge, the Hearing Committee considered all possible penalties authorized by PHL § 230-a. The Department recommended the imposition of a censure and reprimand, completion of continuing medical education requirements, and a three-year period of probation during which she would practice under the supervision of a practice monitor. The Hearing Committee found the Department's recommendation inappropriate for the situation presented.

While practicing as an urgent care physician at a medical facility in Wisconsin approximately 1 ½ years, the Respondent repeatedly failed to complete patient medical record documentation after patient encounters. Although management at the medical facility met with the Respondent on multiple occasions to address the deficiencies and offer accommodations, including a performance management plan, her recordkeeping remained deficient and resulted in her failure to complete and update approximately 250 patient encounters as of the date that she was terminated (January 28, 2020). (Exhibit 6.)

The Final Decision and Order recounts repeated efforts by the DLSC to contact the Respondent for over 1 ½ years (February 13, 2020 through September 24, 2021) by email and various forms of mail to obtain the Respondent's answer to the allegations regarding her recordkeeping. Although the DLSC received confirmation that the Respondent had received its correspondence, she did not respond. Nor did she respond to the DLSC's phone call to the Respondent at a phone number confirmed as a valid phone number. That lack of responsiveness was also manifest in the Department's efforts to reach the Respondent for this hearing through various mediums and the Respondent's unwillingness to appear for the hearing, even though the ALJ sent her a meeting invitation to the Respondent's email address of record.

Troubling as are the omissions identified in records of 250 patient encounters over a short period of time, the Hearing Committee is even more troubled by the Respondent's overt and consistent lack of cooperation. Her perpetual display of indifference to the oversight authority of medical licensing boards, now in two separate states, combined with her unwillingness to attempt to address deficiencies identified by her previous employer (also despite numerous efforts to accommodate her) present serious risks to patient safety. For these reasons, the Hearing Committee concludes that revocation is the only appropriate penalty in this matter.


**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The charge of professional misconduct, as set forth in the Statement of Charges, is sustained.
2. The Respondent's license to practice medicine is revoked pursuant to PHL § 230-a(4).
3. This Order shall be effective upon service on the Respondent in accordance with the requirements of PHL § 230(10)(h).

**DATED:** November 30, 2023

New York, New York

  
Cassandra E. Henderson, M.D., M.Sc., CDCES,  
Chairperson  
Prosper Remy, M.D.  
Myra M. Nathan, Ph.D.

To: Bianca A. Belli, D.O.

  
Bianca A. Belli, D.O.  


Nathaniel White, Esq.  
New York State Department of Health  
Bureau of Professional Medical Conduct  
Division of Legal Affairs  
Corning Tower, Room 2512  
Empire State Plaza  
Albany, New York 12237



IN THE MATTER

OF

BIANCA A. BELLI, D.O.

STATEMENT  
OF  
CHARGES

BIANCA A. BELLI, D.O., the Respondent, was authorized to practice medicine in New York State on or about December 3, 2015, by the issuance of license number 282441 by the New York State Education Department.

**FACTUAL ALLEGATIONS**

A. On or about October 19, 2022, the Wisconsin Medical Examining Board ("Wisconsin Board") issued a Final Decision and Order where the Wisconsin Board accepted and adopted a Stipulation with the Respondent. The Final Decision and Order constituted disciplinary action against the Respondent and made findings that Respondent, while working as an urgent care physician, failed to complete patient medical record documentation following encounters with patients. Despite various accommodations made by the urgent care facility for the Respondent to address the patient medical record deficiencies, Respondent failed to make significant progress in completing and updating approximately 250 patient encounters. The Wisconsin Board concluded that Respondent's conduct constituted unprofessional conduct as defined by two sections of Wisconsin law, including 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 Wis. Admin. Code § MED 21.03, or as otherwise required by law. The Final Decision and Order imposed a Reprimand, required the Respondent to complete six hours of education on the topic of establishing and maintaining timely patient health records, and pay costs of \$2,658.00.

B. The conduct resulting in the Wisconsin disciplinary action against the Respondent would constitute misconduct under the laws of New York State pursuant to the following section of New York law:

1. New York Education Law section 6530(32) (failing to maintain a record for each patient which accurately reflects the evaluation and treatment of the patient).

**SPECIFICATION OF CHARGES**

Respondent is charged with committing professional misconduct as defined in N.Y. Educ. Law § 6530(9)(d) by having the Respondent's license to practice medicine revoked, suspended or having other disciplinary action taken, or having the Respondent's application for a license refused, revoked or suspended or having voluntarily or otherwise surrendered the Respondent's license after a disciplinary action was instituted by a duly authorized professional disciplinary agency of another state, where the conduct resulting in the revocation, suspension or other disciplinary action involving the license or refusal, revocation or suspension of an application for a license or the surrender of the license would, if committed in New York state, constitute professional misconduct under the laws of New York state (namely N.Y. Educ. Law § 6530[32]) as alleged in the facts of the following:

1. Paragraphs A, B and B.1.

DATE: October 6, 2023  
Albany, New York

  
JEFFREY J. CONKLIN  
Deputy Director  
Bureau of Professional Medical Conduct