



U.S. Department of Justice

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FOR IMMEDIATE RELEASE

January 7, 2010

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**JACKSONVILLE LPN SENTENCED TO 78 MONTHS IMPRISONMENT
FOR KICKBACK SCHEME AND FOR FALSIFYING RELATED DOCUMENTS**

Little Rock - Jane W. Duke, United States Attorney for the Eastern District of Arkansas, Thomas J. Browne, Special Agent in Charge of the Little Rock Field Office of the Federal Bureau of Investigation, and Mike Fields, Special Agent in Charge of the Department of Health and Human Services - Office of Inspector General, Dallas Division, announced today Geoffrey Alan Yielding, age 43, of Jacksonville, Arkansas, was sentenced to 78 months imprisonment for his role in a health care fraud scheme. Yielding's sentence stems from his April 2009 convictions by a jury in the Eastern District of Arkansas for violating the healthcare anti-kickback statute and for falsifying documents in an effort to conceal his crime.

The sentence imposed by United States District Judge Brian S. Miller, took into account the commissions Yielding and his now-deceased wife, Kelley Yielding, received in connection with the sales of Orthofix bone growth stimulators and Osteotech allograft bone to Baptist Health Medical Center - North Little Rock (Baptist NLR) during the years 2003 and 2004. Those commissions, earned by Kelley Yielding through her company, Advanced Neurophysiology, Inc. ("ANI"), which was a distributor for both companies, totaled in excess of \$380,000. During this time period, Geoffrey Yielding was employed as a physician's assistant for Dr. Richard Jordan, a North Little Rock neurosurgeon. That employment enabled Yielding to dictate what products were ordered for use in surgeries performed by Dr. Jordan at Baptist NLR. As part of the scheme, Yielding bribed a Baptist NLR charge nurse to order excessive amounts of the products for which Kelley Yielding would receive commissions. When that charge nurse was terminated, Geoffrey Yielding created a fraudulent promissory note in an effort to disguise the bribes as a loan. The charge nurse, Jordan Wall, subsequently pled guilty to making a false statement to a federal agent and was sentenced to a term of probation and a fine. Wall testified against Yielding during the April 2009 trial.

In imposing the sentence, the Court further considered the amount of monies paid by Baptist NLR for the products Wall ordered in exchange for the bribes. In addition, the Court took into account the loss to Baptist NLR's insurer, Travelers Insurance, of \$131,300 based on a claim it paid to Baptist NLR for fraud loss. Finally, the Court held Yielding accountable for causing false claims to be filed with federal health care programs in an aggregate amount exceeding \$740,000.

Judge Miller imposed sentencing enhancements against Yielding for both obstructing justice and for his aggravating role as a leader or organizer of the criminal activity. Yielding's obstruction of justice occurred in December 2004 when he aided and abetted Wall in falsifying the promissory note referenced above.

As a part of Yielding's sentence, he was ordered to make restitution in the amount of \$944,995.84 to Baptist NLR; Travelers Insurance; Medicare; Medicaid; and TriCare for each of their respective losses.

The Court denied Yielding's oral motion to remain free on bond pending appeal. He is currently scheduled to self-report to the Federal Bureau of Prisons by March 8, 2010 at 2:00 p.m.

SAC Browne stated, "Health care fraud investigations are among the highest priority cases within the FBI's White Collar Crime Program. In light of today's public concern with the tremendous costs associated with health care and its related services, the FBI remains committed to utilizing our resources to pursue those who participate in schemes that add to these costs and undermine the credibility of the health care system." Echoing that sentiment, SAC Fields stated, "Today's sentencing concludes but a single case in our ongoing effort to punish those who purposely attack the financial integrity of the Medicare program. HHS-OIG, along with our state and federal law enforcement partners, is committed to protecting the Medicare program and its beneficiaries."

According to Duke, "One of the most significant aspects of this case was how it originated. Specifically, Baptist NLR self-disclosed to the FBI that it suspected criminal conduct by one of its employees. Based on this information, federal investigators were able to confirm that this employee, a charge nurse, had accepted over \$50,000 in bribes from the Yieldings over a two-year period." Duke added, "In large part, the integrity of our health care system depends on health care providers having effective compliance programs and being willing to report fraud and abuse. That's exactly what happened here."

This investigation was conducted by the Little Rock Field Office of the Federal Bureau of Investigation and the Office of Inspector General for the Department of Health and Human Services. United States Attorney Jane Duke, Assistant United States Attorneys Laura Hoey and Karen Whatley represented the United States in this matter, with the assistance of legal intern, Josh Robles.