

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

TAMARA E. BISHOP,  
  
RESPONDENT.

FINAL DECISION AND ORDER  
LS0704021BAC

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Division of Enforcement Case File Number: 04 BAC 078

The parties to this action for the purposes of Section 227.53 of the Wisconsin statutes are:

Tamara E. Bishop  
2524 North Pasadena Boulevard  
Wauwatosa, Wisconsin 53226

Barbering and Cosmetology Examining Board  
Post Office Box 8935  
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 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. Tamara E. Bishop (Date of Birth of October 9, 1972) is duly licensed in the state of Wisconsin as a barbering or cosmetology practitioner (license number 82-75692). That license was first granted on January 3, 1996, and is current through June 30, 2007. From July 1, 2005, through July 28, 2005, Ms. Bishop's barbering or cosmetology practitioner license was in expired status. The last address reported to the Department of Regulation and Licensing (hereinafter Department) by Ms. Bishop is 2427 North Lefebber Avenue, Milwaukee, Wisconsin 53213. The Department has learned that Ms. Bishop currently resides at 2524 North Pasadena Boulevard, Wauwatosa, Wisconsin 53226.

2. From a date unknown but to the present, Ms. Bishop was employed as a barbering or cosmetology practitioner at About Face, 11014 North Port Washington Road, Mequon, Wisconsin 53092, a duly licensed barbering and cosmetology establishment in the state of Wisconsin (license number 80-20510).

3. On July 20, 2005, Investigator Douglas Austin from the Department inspected About Face. Investigator Austin found during the inspection that the establishment license for About Face had expired on July 1, 2005, and had not been renewed. The establishment license for About Face was renewed on July 21, 2005.

4. Shortly after the inspection, Investigator Austin, through records kept at the Department, determined that Ms. Bishop's barbering or cosmetology practitioner license had expired on July 1, 2005, and had not been renewed.

5. Ms. Bishop renewed her barbering or cosmetology practitioner license on July 28, 2005.
6. Investigator Austin reinspected About Face on August 5, 2005. Investigator Austin found that the new establishment license was not posted, nor were any practitioner licenses. One of the owners of About Face posted the practitioner licenses while Investigator Austin was present.
7. In resolution of this matter, Tamara E. Bishop consents to the entry of the following Conclusions of Law and Order.

### **CONCLUSIONS OF LAW**

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stats. sec. 454.15.
2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Wis. Stats. sec. 227.44(5).
3. By the conduct referred to in the above Findings of Fact, Tamara E. Bishop has violated:
  1. Wis. Stats. sec. 454.04(1)(a). Except as permitted under pars. (b) and (d), no person may engage in barbering or cosmetology unless the person has received training in the areas of service provided and holds a current barber or cosmetology license, manager license or temporary permit issued by the examining board or is an apprentice under s. 454.10 or a student in a barbering or cosmetology course of instruction.
  2. Wis. Stat. sec. 454.06(7). The examining board shall furnish a certificate to each licensee, certifying the holder is licensed to practice barbering or cosmetology, aesthetics, electrology or manicuring or is a licensed manager. The licensee shall post the certificate in a conspicuous place in the licensed establishment.
  3. Wis. Stat. sec. 454.08(1)(b). Except as permitted by rule promulgated under par. (a), no person may practice barbering or cosmetology, aesthetics, electrology or manicuring in an establishment unless the establishment is licensed to provide that practice under sub.(2).
  4. Wis. Stats. sec. 454.15(2)(i). Any violation of Chapter 454 or of the Administrative Code promulgated under Chapter 454 is cause for discipline.
  5. Wis. Admin. Code § BC 2.03(2). Licensees may provide only those services which they are competent to perform by training or experience and are licensed to provide.
  6. Wis. Admin. Code § BC 2.04(1). Licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.
  7. Wis. Admin. Code § BC 2.04(2). Licensees shall report to the board unauthorized or unlicensed practice or other violations of ch. 454, Stats., and chs. BC 1 to 9.
  8. Wis. Admin. Code § BC 2.045(1). Licensees shall not provide personal care services outside of a licensed establishment, except for persons who are unable to leave their homes because of illness or disability or for person who are in hospitals, nursing homes, correctional institutions or other institutions.



STATE OF WISCONSIN  
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

TAMARA E. BISHOP,  
  
RESPONDENT.

STIPULATION  
LS07 \_\_\_\_\_ BAC

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Division of Enforcement Case File Number: 04 BAC 078

It is hereby stipulated between Tamara E. Bishop and Claudia Berry Miran, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (04 BAC 078). Ms. Bishop consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Ms. Bishop understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, 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 her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; 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 her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
3. Ms. Bishop has been provided an opportunity to obtain legal counsel prior to signing this stipulation.
4. Ms. Bishop agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board (hereafter "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. Ms. Bishop waives all rights to any appeal of the attached 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 be returned to the Division of Enforcement for further proceedings. In the event that this 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 Enforcement 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 Ms. Bishop or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's 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. Ms. Bishop 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 policy.
8. The Division of Enforcement joins Tamara E. Bishop in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

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**Tamara E. Bishop**

Respondent

2524 North Pasadena Boulevard

Wauwatosa, Wisconsin 53226

License Number: 82-75692

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Date

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**Claudia Berry Miran**

Attorney

Division of Enforcement

Wisconsin Department of Regulation and Licensing

Post Office Box 8935

Madison, Wisconsin 53708-8935

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Date

04BAC078, \$200.00 Forfeiture, \$125.00 Costs