

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST	FINAL DECISION AND ORDER
CHERYL A. MERKES,	LS9904058BAC
D/B/A CLASSICS STYLING SALON,	
RESPONDENTS.	

Division of Enforcement Case No. 98 BAC 008

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

*Cheryl A. Merkes
Classics Styling Salon
1120 Oregon St.
Oshkosh, WI 54901*

*Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935*

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

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

- Classics Styling Salon, 1120 Oregon St., Oshkosh, WI 54901, is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #17081). This license was first granted on November 20, 1997. Cheryl A. Merkes is listed with the Department of Regulation and Licensing as the owner of Classics Styling Salon. As owner, Ms. Merkes was and is at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 2, 3 and 4.
- On exact dates unknown, but at least on July 10, 1998, Classics Styling Salon did not sterilize needles, by use of a FDA-registered dry or steam sterilizer prior to use on patrons.
- In resolution of this matter, Ms. Merkes consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶ 2, above, Cheryl A. Merkes, d/b/a Classics Styling Salon, violated sec. 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.06(1), BC 4.03(1) and BC 4.09.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Cheryl A. Merkes, d/b/a Classics Styling Salon shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED dollars (\$100.00). Payment shall be submitted within 30 days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
PO Box 8935
Madison, WI 53708-8935

IT IS FURTHER ORDERED that in the event Cheryl A. Merkes fails to timely submit payment of the forfeiture as set forth above, the establishment license of Classics Styling Salon (#17081) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondents have complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By:

<u>John Fahey</u>	<u>April 5th</u>
A member of the Board	Date

