

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:

CARMELLA JENKINS, d/b/a SOUTHERN CUTS & NAILS FINAL DECISION AND ORDER

RESPONDENT

LS0104022BAC

Division of Enforcement Case No. 00 BAC 036

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

Carmella Jenkins

d/b/a Southern Cuts & Nails

2670 Mutchler Road

Madison, WI 53711

Barbering and Cosmetology Examining Board

PO Box 8935

Madison, WI 53708-8935

Division of Enforcement

PO 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

1. Southern Cuts & Nails, 1017 S. Park St., Madison, WI 53715 is duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license #28517). This license was first granted on July 28, 1999. Carmella Jenkins, 2670 Mutchler Road, Madison Wisconsin, is and was at all times relevant to this action the owner of Southern Cuts & Nails.

2. As the owner of Southern Cuts & Nails, Carmella Jenkins 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.

3. On July 28, 1999, Carmella Jenkins submitted a Barbering and Cosmetology Establishment Application to the Department of Regulation and Licensing. Included with the application was a floor plan of the proposed establishment. The floor plan submitted did and does not accurately reflect the actual floor plan of Southern Cuts & Nails, in violation of sec. 454.14(2)(a), Wis. Stats.

4. On exact dates unknown but beginning at least in November 1999 and continuing on through April 20, 2000, Daryl Harris was providing barbering and cosmetology services at Southern Cuts & Nails. At no time during this time did Mr. Harris hold valid and current licensure to practice barbering and cosmetology in Wisconsin.

5. An inspection of Southern Cuts & Nails on April 20, 2000, revealed that staff had failed to properly clean and disinfect contact equipment, failed to keep this equipment in a covered container and failed to post a written protocol regarding exposure to bodily fluids.
6. The April 20, 2000 inspection in addition revealed that the establishment was in operation without a full time licensed barbering and cosmetology manager on staff.
7. Ms. Jenkins has subsequently informed the Department that she had closed Southern Cuts & Nails.
8. In resolution of these proceedings, Respondent consents to entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-7 above, Carmella Jenkins, d/b/a Southern Cuts & Nails, has violated secs. 454.15(2)(a) and (i), Wis. Stats. and Wis. Admin. Code §§ BC 2.04, 2.06(5), 3.01(1), (5), (6) and (12), 3.02(1), 3.04, 4.01, 4.02(1), (2), (3), (3a) and (8), and 4.05(2).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that

1. Carmella Jenkins shall **SURRENDER** effective immediately the establishment license for Southern Cuts & Nails (license #28517). Upon request of the Board, Ms. Jenkins shall return all license cards, certificates and/or other indicia of licensure to the Board.
2. In the event that in the future Ms. Jenkins applies for an establishment licensure in Wisconsin, the Board may in its discretion require a full pre-inspection of the establishment before a license may be issued.
3. This Order shall become effective on the date of its signing.

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: Barbara Flaherty

4-2-01

A member of the Board

Date