

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

JACQUELINE T. HERGERT

FINAL DECISION AND ORDER

RESPONDENT

LS0106121MTB

Division of Enforcement Case File No. 01 MTB 002

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

Jacqueline T. Hergert

233 Quinton Street

Green Bay, WI 54302

Department of Regulation and Licensing

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 Department. The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department of Regulation and Licensing in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Jacqueline T. Hergert (D.O.B. 04/07/1959) is duly licensed as a massage therapist and bodyworker in the state of Wisconsin (license #239). This license was first granted on 03/08/1999.
2. Respondent's most recent address on file with the Wisconsin Board of Nursing is 233 Quinton Street, Green bay, WI 54302
3. On November 8, 2000, Respondent was found guilty of one [1] count of violation of sec. 943.20(1)(d), Wis. Stats. [Misdemeanor theft – False Representation]. True and correct copies of the Criminal Complaint and Judgment of Conviction in this matter are attached to this Order as Exhibit A. This conviction is based upon allegations of Respondent's receipt of payment from Brown County Department of Human Services for services as an adult family home health care provider that she did not provide.
4. Respondent did not timely report this conviction to the Department of Regulation and Licensing, as required by Wis. Admin. Code § RL 94.01(27).
5. In resolution of this matter, Respondent consents to the issuance of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction over this matter, pursuant to sec. 440.986, Stats.
2. The Department is authorized to enter into the attached stipulation, pursuant to sec. 227.44(5), Stats.
3. By the conduct described in paragraph 3 and 4 above, Respondent is subject to disciplinary action against her license, pursuant to sec. 440.986(2)(b) and (g), Wis. Stats. and Wis. Adm. Code §RL 94.01(27).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Jacqueline T. Hergert is **REPRIMANDED**.

IT IS FURTHER ORDERED that Respondent's license is LIMITED, subject to the following terms and conditions:

2. Within thirty [30] days from the date of this order, Respondent shall pay to the Department of Regulation and Licensing a forfeiture of ONE HUNDRED dollars (\$100.00).
3. Within thirty [30] days from the date of this order, Respondent shall pay to the Department of Regulation and Licensing partial costs of these proceedings in the amount of ONE HUNDRED dollars (\$100.00).
4. 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
- 5. In the event Respondent fails to timely pay the forfeiture and costs set forth above, her Massage therapist and bodyworker license (#239) shall be SUSPENDED, without further notice or hearing, until such time as she has complied with the terms of this Order.**
6. Upon successful completion by Respondent of all terms and conditions set forth above, Respondent shall be returned to full and unrestricted licensure.
7. This Order shall become effective upon the date of its signing.

WISCONSIN DEPARTMENT OF REGULATION AND LICENSING

By: Oscar Herrera

6-12-01

On behalf of the Department

Date