

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

**STATE OF WISCONSIN**

**BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD**

---

**IN THE MATTER OF THE DISCIPLINARY**

**PROCEEDINGS AGAINST:**

**DARLENE E BIGELOW**

**FINAL DECISION AND ORDER**

**RESPONDENT**

**LS0206031BAC**

---

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Darlene E. Bigelow

Park Avenue of Palm Beaches

10020 N. Port Washington Rd.

Mequon, WI 53092

Barbering and Cosmetology Examining Board

P.O. Box 8935

Madison, WI 53707-8935

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 disposition 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. **Darlene E. Bigelow** ("Bigelow"), date of birth 02/18/34, is licensed in the State of Wisconsin as a Barber or Cosmetology Manager having license # 81 5990. This license was first granted to her on 01/21/57.
2. Bigelow is listed with the Department of Regulation and Licensing as owner of the Barbering and Cosmetology Establishment d/b/a Park Avenue of Palm Beaches, License # 80 13549. The most recent address on file with the Department of Regulation and Licensing for this establishment is 10020 N. Port Washington, Mequon, WI 53092.
3. At all times relevant to this action, Bigelow was working as manager of record for Park Avenue of Palm Beaches. As owner/manager, Bigelow was responsible for the daily operations of the establishment and for ensuring that the establishment was in compliance with Wis. Stats. chapter 454 and Admin. Code chapters BC 2, 3 and 4.
4. On or about February 20, 2002, an inspection of Park Avenue of Palm Beaches was performed by Department of Regulation and Licensing investigator Michelle Krisher. During the inspection investigator Krisher found the following:

- a. A list of cost of services was not posted nor a sign displayed stating that patrons have the right to be informed of the cost of services before the services are provided.
- b. Disposable manicuring equipment was not being disposed of properly in that used disposable nail files were found on one manicuring workstation tabletop.
- c. The disinfectant found on one manicuring workstation was cloudy/dirty indicating that it had not been recently changed.

### **CONCLUSIONS OF LAW**

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to sec. 454.15, Wis. Stats.
2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.
3. Respondent **Darlene E. Bigelow** has violated:
  - a. Wisconsin Statutes sec. 454.15(2)(i) and Wisconsin Administrative Code section BC 2.05(2) by not posting a list of cost for services or displaying a sign which states, "All establishment patrons have the right to be informed of the cost of services before the services are provided."
  - b. Wisconsin Statutes sec. 454.15(2)(i) and Wisconsin Administrative Code section BC 4.10(2) by not disposing of disposable manicuring equipment properly following each use.
  - c. Wisconsin Statutes section 454.15(2)(i) and Wisconsin Administrative Code section BC 4.10(1)(b) by failing to change disinfectant used for decontamination daily.

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondent **Darlene E. Bigelow** shall pay to the Department of Regulation and Licensing a forfeiture of TWO HUNDRED dollars (\$200.00). Payment shall be submitted within thirty (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, Department of Regulation and Licensing , PO Box 8935, Madison, WI 53708-8935.**

IT IS FURTHER ORDERED, that in the event **Darlene E. Bigelow** fails to timely submit payment of the forfeiture as set forth above, the Barber or Cosmetology Manager's license of Darlene E. Bigelow (#81 5990) **SHALL BE SUSPENDED**, without further notice or hearing, until respondent has complied with the terms of this Order.

IT IS FURTHER ORDERED, that file, 01 BAC 053 be, and hereby is, closed.

Dated this 3<sup>rd</sup> day of June, 2002.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Lee Martinez

A Member of the Board