

# 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 THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
:FINAL DECISION AND ORDER  
:  
LORI A. DESCHNER AND  
PANACHE : LS0506063BAC**

**RESPONDENTS**

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Division of Enforcement Case File #: **04 BAC 009**

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Attn: Lori A. Deschner  
Panache  
1420 E. Geneva Street  
Delevan, WI 53115

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. Panache is duly licensed as a barbering and cosmetology establishment in the State of Wisconsin having license #080 0032303. This license was granted on 09/09/04.
2. Panache's most recent address on file with the Department of Regulation and Licensing ("Department") is: 1420 E. Geneva Street, Delevan, WI 53115.
3. Lori A. Deschner, date of birth 04/28/62, is the listed owner of Panache. According to Department Records, Ms. Deschner is duly licensed as a barber and cosmetologist in the State of Wisconsin having license # 082 043308. This license was first granted to Ms. Deschner on 10/13/81.
4. Ms. Deschner's most recent address on file with the Department is: 1420 E. Geneva Street, Delevan, WI 53115.
5. As owner, Ms. Deschner was and is at all times relevant to this action responsible for compliance with Wisconsin Statutes, Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology Chapters 2, 3 and 4.

6. On or about February 5, 2004, the Department received a complaint alleging that Panache was moving to a different location and had no manager of record to manage the salon. At the time of the complaint, Panache was located at 828 E. Geneva Street, Delevan, WI 53115. The establishment license number for Panache at the listed address was: 080-0021237. This license was granted on 12/27/90 with an expiration date of 06/30/05.

7. On or about September 9, 2004, an investigator from the Department went to the address of 1420 E. Geneva Street, Delevan, Wisconsin to do an inspection of Panache. It was on this date that the investigator discovered that Panache was no longer located at the 828 E. Geneva Street, Delevan, Wisconsin address. Prior to September 9, 2004, the Department was not notified by Ms. Deschner or any other management staff of Panache that Panache had moved to a different location.

8. At the time of inspection, Ms. Deschner admitted to not having a manager of record for Panache. Additionally, Department records indicate that there has been no manager of record at Panache since March 2002.

9. The September 9, 2004 inspection also revealed the following sanitation violations:

Barbicide solution was not being changed on a daily basis; and

[a] copy of the Blood Exposure Protocol was not posted in Panache.

10. On or about September 9, 2004, Department records indicate that Ms. Deschner obtained a new establishment license for Panache.

11. In resolution of this matter, Lori A. Deschner and Panache consent to the entry of the following Conclusions of Law and Order.

### **CONCLUSIONS OF LAW**

1. The Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. The Barbering and Cosmetology Examining Board is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5),

3. Respondents Lori A. Deschner and Panache, have violated:

- a. Wis. Stat. §§ 454.08 (1)(b) and Wisconsin Administrative Code § BC 3.06(2) by failing to submit an application to the Department for a new establishment license after Panache moved to a different location;
- b. Wisconsin Administrative Code §§ BC 2.06(5) and 3.02(1) by failing to employ a manager of record at Panache;
- c. Wisconsin Administrative Code § BC 4.02(5) by failing change the Barbicide solution daily; and
- d. Wisconsin Administrative Code § BC 4.05(2) by failing to post a copy of the Blood Exposure Protocol in the salon.

### **ORDER**

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

IT IS FURTHER ORDERED, that Respondents shall jointly and severally pay to the Department of Regulation and

Licensing a forfeiture of **TWO THOUSAND ONE HUNDRED DOLLARS (\$2,100.00)**.

IT IS FURTHER ORDERED, that Respondents shall jointly and severally pay costs in this matter in the amount of **SIX HUNDRED DOLLARS (\$600.00)**.

IT IS FURTHER ORDERED, that a down payment of **NINE HUNDRED DOLLARS (\$900.00)** shall be submitted thirty (30) days from the date of this order and two more payments of **NINE HUNDRED DOLLARS (\$900.00)** will be due three months from the previous payment until the full **TWO THOUSAND SEVEN HUNDRED DOLLARS (\$2,700.00)** is paid. Payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing sent to:

**Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264**

IT IS FURTHER ORDERED, that in the event that Lori A. Deschner and Panache fail to timely submit payment of the forfeiture and costs as set forth above, Lori A. Deschner's barbering and cosmetology license (#082 0043308) and the establishment license for Panache (# 080 0032303) **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs has been paid to the Department of Regulation and Licensing and their failure to pay the costs shall be considered a violation of this Order by the Board.

IT IS FURTHER ORDERED, that file 04 BAC 009, and hereby is, closed as to all Respondents.

Dated this 6th day of June, 2005.

**WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD**

By: Leon Lauer