

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF A PETITION FOR AN :
ADMINISTRATIVE INJUNCTION INVOLVING :
 : ADMINISTRATIVE
 : INJUNCTION
SCOTT A. BARTEL, D.C., :
 : LS-0508012-UNL
RESPONDENT. :
 :

Division of Enforcement Case No. 05 UNL 053

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

Scott A. Bartel, D.C.
145 Island Drive
Iola, WI 54945

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

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 Secretary. The Secretary has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Secretary adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Scott A. Bartel, D.C.'s most recent address on file with the Wisconsin Department of Regulation and Licensing is P.O. Box 343, Iola, Wisconsin 54945. Respondent's current address is 145 Island Drive, Iola Wisconsin. Respondent's date of birth is November 8, 1967.
2. From March 19, 1992 until January 10, 2001, Respondent was duly licensed as a chiropractor in the State of Wisconsin (license #2832). Respondent's license expired on January 10, 2001.
3. Respondent has not applied for reinstatement of his Wisconsin chiropractic license at any time since 01/10/2001.
4. Between 1/10/2001 and the present, Respondent regularly engaged in the practice of chiropractic in Wisconsin without a valid Wisconsin chiropractic license.

5. Respondent was contacted by an investigator for the Division of Enforcement on December 9, 2004 regarding his unlicensed practice of chiropractic in Wisconsin.

6. Despite being informed that he was being investigated by the Division of Enforcement for the unlicensed practice of chiropractic, Respondent knowingly continued to practice chiropractic in Wisconsin without a valid Wisconsin chiropractic license thereafter.

CONCLUSIONS OF LAW

1. The Secretary has authority to issue this Administrative Injunction as a special order under Wis. Stat. § 440 and Wis. Admin. Code Ch. RL 3, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Sta 227.44(5).

2. The conduct described in paragraphs 2 - 6 above constitutes the practice of a profession and use of a title without a credential and is actionable under Wis. Stat. § 440.21.

ORDER

IT IS ORDERED, that the attached stipulation is accepted.

IT IS FURTHER ORDERED, that Scott A. Bartel is enjoined and prohibited from the practice of chiropractic in the State of Wisconsin, unless and until properly credentialed to do so. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation (Wis. Stat. § 440.21(4)(a)).

IT IS FURTHER ORDERED, that if the Secretary determines that there is probable cause to believe that respondent has violated any terms of this final decision and order, the Secretary may order that the violations covered by this decision and order be referred to any appropriate prosecutorial unit for review for possible criminal charges, such units including but not limited to the county District Attorney's office and the United States Attorney.

Issued at Madison, Wisconsin this 10th day of November, 2005.

Celia M. Jackson, Secretary
Department of Regulation and Licensing