

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	
	:	
GREGORY A. HAMSING,	:	FINAL DECISION AND ORDER
RESPONDENT.	:	LS0804073BAC
	:	

Division of Enforcement Case File Number 06 BAC 010

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

Gregory A. Hamsing
1708 Franklin Street
Wausau, Wisconsin 54403

Barbering and Cosmetology Examining Board
Post Office Box 8935
Madison, Wisconsin 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, Wisconsin 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 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. Gregory A. Hamsing (Date of Birth is February 7, 1962) is duly licensed as a barbering or cosmetology manager in the state of Wisconsin (license #81-24629). This license was first granted on January 3, 1992, and is current through March 31, 2009. The last address Mr. Hamsing reported to the Department of Regulation and Licensing (Department) is 1708 Franklin Street, Wausau, Wisconsin 54403. From July 1, 2005, through March 28, 2006, Mr. Hamsing’s barbering or cosmetology manager license was in expired status with the Department.
2. On October 31, 2007, Mr. Hamsing admitted to Departmental Investigator Michelle Krisher that he worked as a barbering and cosmetology manger while his license was in expired status from July 1, 2005, through March 28, 2006,
3. In resolution of this matter, Gregory A. Hamsing consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. Sec. 454.15.
2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation

pursuant to Wis. Stat. Sec. 227.44(5).

3. By the conduct referred to in Paragraph 3. of the Findings of Fact, Gregory A. Hamsing has violated Wis. Stat. sec. 454.04(1)(a). Except as permitted under pars. (b) and (d), no person may engage in barbering or cosmetology unless the person has received training in the areas of service provided and holds a current barber or cosmetologist license, manager license, temporary permit issued by the examining board or is an apprentice under s. 454.10 or a student in a barbering or cosmetology course of instruction.

4. By conduct referred to in Paragraph 3. of the Findings of Fact, Gregory A. Hamsing has violated Wis. Stat. Sec. 454.15(2)(i). Violated this chapter or any rule promulgated under this chapter.

5. By the conduct referred to in Paragraph 3. of the Findings of Fact, Gregory A. Hamsing has violated Wis. Admin. Code § BC 2.03(2). Licensees may provide only those services which they are competent to perform by training or experience and are licensed to provide.

6. By the conduct referred to in Paragraph 3. of the Findings of Fact, Gregory A. Hamsing has violated Wis. Admin. Code § BC 2.04(1). Licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Gregory A. Hamsing (license number 81-24629) **is REPRIMANDED.**

IT IS FURTHER ORDERED that Gregory A. Hamsing shall pay to the Department of Regulation and Licensing a forfeiture of ONE THOUSAND dollars (\$1,000.00).

IT IS ALSO ORDERED that Gregory A. Hamsing shall pay costs in the amount of SIX HUNDRED dollars (\$600.00) in this matter.

IT IS FURTHER ordered that a down payment of costs and forfeiture in the amount of **\$200.00** shall be submitted within thirty (30) days from the effective date of this Order. Seven further payments of costs and forfeiture in the amount of **\$200.00** shall be due every ninety (90) days from the previous payment until the full ONE THOUSAND SIX HUNDRED dollars (\$1,600.00) is paid.

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
Post Office Box 8935
Madison, Wisconsin 53708-8935
608-261-7904

IT IS FURTHER ORDERED that in the event Gregory A. Hamsing fails to timely submit any payment of the forfeiture and costs as set forth above, the barbering or cosmetology manager license of Gregory A. Hamsing (license number 81-24629) **SHALL BE SUSPENDED**, without further notice or hearing until Gregory A. Hamsing has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush
A member of the Board

4/7/08
Date

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS AGAINST :

GREGORY A. HAMSING, : STIPULATION
RESPONDENT. : LS#08 _____ BAC
:

Division of Enforcement Case File Number 06 BAC 010

It is hereby stipulated between Gregory A. Hamsing and Claudia Berry Miran, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (06 BAC 010). Mr. Hamsing consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Mr. Hamsing understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes and the Wisconsin Administrative Code.
3. Mr. Hamsing is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this Stipulation.
4. Mr. Hamsing agrees to the adoption of the attached Final Decision and Order by the Barbering and Cosmetology Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Mr. Hamsing waives all rights to any appeal of the attached order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Barbering and Cosmetology Examining Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Mr. Hamsing or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
7. Mr. Hamsing is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department policy.
8. The Division of Enforcement joins Gregory A. Hamsing in recommending the Barbering and Cosmetology

Examining Board adopt this Stipulation and issue the attached Final Decision and Order.

Gregory A. Hamsing	Date
Respondent	
1708 Franklin Street	
Wausau, Wisconsin 54403	
License Number 81-24629	

Claudia Berry Miran	Date
Attorney	
Division of Enforcement	
Post Office Box 8935	
Madison, Wisconsin 53708-8935	