

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY BOARD

IN THE MATTER OF :
DISCIPLINARY PROCEEDINGS :
AGAINST : **FINAL DECISION AND ORDER**
AUTUMN P. RUSH, :
RESPONDENT : LS09020214BAC

Division of Enforcement Case File # 08 BAC 236

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

Autumn P. Rush
2107 North 48th Street
Milwaukee, WI 53208

Wisconsin Barbering and Cosmetology Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
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 disposition of this matter, subject to the approval of the Wisconsin Barbering and Cosmetology Board (“Board”). The Board has reviewed this Stipulation and considers it acceptable. Accordingly, the Board adopts the attached Stipulation in this matter and makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. Autumn P. Rush is licensed in the State of Wisconsin as a Barbering and Cosmetology practitioner having license number 82-85030. This license was first granted on September 23, 2005. Ms. Rush’s most recent address on file with the Department of Regulation and Licensing (“Department”) is 2107 North 48th Street, Milwaukee, WI 53208.
2. On July 23, 2008, Departmental Investigator Michelle Krisher conducted an inspection of Just Hair and Nails at 5311 West Center Street in Milwaukee, which is owned by Betty Smith. Ms. Rush has rented a chair from Ms. Smith for many years. The inspection revealed that although Ms. Rush has a practitioner’s license, she does not hold a manager’s license and has not obtained an establishment license for her chair rental. This is a violation of section BC 3.02 (2) of the Wisconsin Administrative Code.
3. In resolution of this matter, Autumn Rush consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Board has jurisdiction to act in this matter pursuant to section

454.15 of the Wisconsin Statutes and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

2. Respondent Autumn P. Rush is subject to discipline for the violation in Finding of Fact 2 above.

ORDER

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

IT IS FURTHER ORDERED, that the Respondent, Autumn P. Rush, shall pay the forfeiture and costs of \$1,000.00, as follows:

- a payment of \$200 no later than March 1, 2009,
- a payment of \$200 no later than June 1, 2009,
- a payment of \$200 no later than September 1, 2009,
- a payment of \$200 no later than December 1, 2009, and
- a payment of \$200 no later than March 1, 2010.

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
Telephone 608-261-7904
Fax 608-266-2264

In the event that the Respondent fails to timely submit payment of the forfeiture and costs as set forth above, her Barbering and Cosmetology license **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of the forfeiture and costs has been paid to the Department of Regulation and Licensing.

IT IS FURTHER ORDERED that file 08 BAC 236 be closed.

Dated this 2nd day of February, 2009.

WISCONSIN BARBERING AND COSMETOLOGY BOARD

By: Jeannie M. Bush
A member of the Board