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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE	:	
DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	FINAL DECISION AND ORDER
	:	
TIA J. BELLISLE,	:	Case # LS0902021BAC
RESPONDENT.	:	

Division of Enforcement Case # 05 BAC 015

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

Tia J. Bellisle
Belle Isle Inn
617 Fremont Street
Algoma, Wisconsin 54201

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

Barbering and Cosmetology Examining Board
Department of Regulation and 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 Barbering and Cosmetology Board (Board). The Board has reviewed the attached Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Tia J. Bellisle, (DOB 04/28/1963) is duly licensed as a barbering and cosmetology manager in the state of Wisconsin (license # 24836-81). This license was first granted on June 4, 1992, and is current through March 31, 2009. The license was in expired status from July 1, 2001, through September 11, 2001. Ms. Bellisle was formerly known as Tia J. May.
2. Respondent's most recent address on file with the Department of Regulation and Licensing (Department) is 2815 Capricorn Drive, Green Bay, Wisconsin 54311. Respondent has informed the Division of Enforcement that her current address is Belle Isle Inn, 617 Fremont Street, Algoma, Wisconsin 54201.
3. La Mirage Salon was duly licensed as a barbering and cosmetology establishment in the state of Wisconsin (license # 24296-80) from June 20, 1995, until July 1, 2007. From July 1, 2001, through February 14, 2002, the establishment license was in expired status. The license was put in non-working status by the Department on November 11, 2005, after Respondent notified the Department that the establishment had closed.
4. Respondent was identified in Department records as owner and manager of La Mirage Salon. As owner and manager of a licensed barbering and cosmetology establishment, Respondent was responsible for compliance with Wis. Stats. chapter 454 and Wisconsin Administrative Code chapters BC 2, 3 and 4.
5. On June 2, 2003, Respondent and La Mirage Salon were disciplined by the Board for providing barbering and cosmetology services while the establishment's license was expired. Respondent did not provide services during the period when her manager license was expired because she was recovering from injuries sustained in an automobile

accident. Respondent and La Mirage were required to pay a forfeiture of \$1,000. The forfeiture was paid.

6. On October 14, 2004, La Mirage Salon was issued a Citation for Administrative Forfeiture by the Department after an inspection of the establishment by a representative of the Department. The Department representative found a poisonous substance in an unlocked cabinet accessible to the public. The \$130 forfeiture was paid.
7. On May 5, 2005, Investigator Candace Bloedow from the Department inspected La Mirage Salon.
8. Investigator Bloedow found an open plastic bucket that contained used files, combs, brushes and clips in a solution. Respondent told Investigator Bloedow that the solution was a sanitizer and water mixture that was changed daily.
9. Investigator Bloedow found an open glass container in the pedicure room that contained used pedicure tools in a solution.
10. Investigator Bloedow noted that the licenses for the establishment and the individual practitioners were posted in the work room, not in a conspicuous place as required.
11. Investigator Bloedow saw that there were open drawers in the work area with open trays of clean combs in the drawers. All the open drawers had hair in the bottom of the trays with the clean combs.
12. Investigator Bloedow also found a roll-about cart with a large number of combs open to the air in the top storage area.
13. In the aesthetics area, Investigator Bloedow saw packages of lancets. She asked Respondent if the establishment had a sharps container for the used lancets. Respondent did not know what a sharps container was.
14. One of the aestheticians present told Investigator Bloedow that Respondent told them to put used lancets in the garbage.
15. Investigator Bloedow noticed that an individual named Nicole Lancelle was on the work schedule at the establishment, but that none of the licenses posted bore the name Nicole Lancelle. Respondent told Investigator Bloedow that Ms. Lancelle had taken the license with her when she ceased employment at the establishment.
16. A check of records at the Department showed that Nicole Lancelle has never been licensed by the Department.
17. Respondent maintains that Lancelle had provided Respondent with a document that looked like a license.
18. In conclusion of this matter, Respondent consents to the entry of the following Conclusions or Law and Order.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stats. § 227.44 (5).
2. Wis. Administrative Code § BC 2.06 (intro.) states that the owner of any licensed establishment shall be responsible for compliance with chapter 454, Stats., and chapters BC 2, 3 and 4.
3. Wis. Administrative Code § BC 2.07 (1) provides that the licensed manager of a barbering or cosmetology establishment shall be responsible for daily operations of the establishment and ensure that the establishment is in compliance with chapter 454, Stats., and chapters BC 2, 3 and 4.
4. Wis. Stat. § 454.04 (1) (a) provides that 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, or temporary permit issued by the examining board, or is an apprentice under § 454.20 or a student in a barbering or cosmetology course of instruction.
5. Wis. Administrative Code § BC 2.04 (1) states that licensees may not assist or participate in the unlicensed or unauthorized practice of barbering and cosmetology, aesthetics, electrology, or manicuring.
6. By permitting an unlicensed individual to provide services at La Mirage Salon, Respondent violated Wis. Administrative Code § BC 2.04 (2).
7. Wis. Stat. § 454.06 (7) requires a licensee to post the certificate issued by the Board in a conspicuous place in the licensed establishment.

8. Wis. Administrative Code § BC 2.07 (2) requires the manager of an establishment to post all required licenses, permits and notices.
9. By failing to post licenses in a conspicuous place in La Mirage Salon, Respondent violated Wis. Stat. § 454.06 (7) and Wis. Administrative Code BC 2.07 (2).
10. Wis. Administrative Code § BC 4.01 (1) requires all areas of an establishment and the equipment, tools, and implements for services to be maintained in a clean, sanitary and safe condition.
11. Wis. Administrative Code § BC 4.02 (4) provides that clean and disinfected contact equipment shall be placed in one or more covered containers.
12. By failing to place clean and disinfected contact equipment in a container that was not covered and that was contaminated with loose hair, Respondent has violated Wis. Administrative Code §§ BC 4.01 (1) and 4.02 (4).
13. Wis. Administrative Code § BC 4.09 (4) requires licensees to dispose of needles and lancets to be disposed of in a puncture resistant container specifically designed for disposal.
14. By failing to provide a puncture resistant container specifically designed for disposal of needles and lancets, and instead instructing her employees to dispose of used lancets in the garbage, Respondent violated Wis. Administrative Code § BC 4.09 (4).
15. Wis. Stat. § 454.15 (2) (1) provides that any violation of chapter 454 or of the Administrative Code promulgated under chapter 454 is cause for discipline.
16. Respondent has violated portions of chapter 454 and of the Administrative Code promulgated under chapter 454, and is therefore subject to discipline.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The license of Tia J. Bellisle to practice as a barbering and cosmetology manager in the state of Wisconsin is hereby REPRIMANDED.
2. Costs of THREE THOUSAND DOLLARS (\$3,000.00) are assessed in this matter. Payment of those costs is STAYED until such time in the future as Respondent is found to have violated any part of chapter 454, Stats., or of the Administrative Code promulgated under chapter 454.
3. This Order is effective on the date of its signing.

By: Jeannie M. Bush
A Member of the Board

2/2/09
Date