

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



## Wisconsin Department of Regulation & Licensing Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Regulation & Licensing website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Regulation and Licensing from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Regulation and Licensing data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Regulation and Licensing, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscqa>.
- Records not open to public inspection by statute are not contained on this website.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DRL website:** An individual who believes that information on the website is inaccurate may contact the webmaster at [web@drl.state.wi.gov](mailto:web@drl.state.wi.gov)

STATE OF WISCONSIN  
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

---

IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
 : FINAL DECISION AND ORDER  
DUSHAN DANIELLE CONWAY, : LS0902025BAC  
RESPONDENT. :  
 :

---

Division of Enforcement Case File Number: 08 BAC 054

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

Dushan Danielle Conway  
4614 West Melvina Street  
Milwaukee, Wisconsin 53216

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. Dushan Danielle Conway is duly licensed as a manicurist in the state of Wisconsin (license #85-1723). That license was first granted on November 18, 1994, and is current through March 31, 2009. The last address reported to the Department of Regulation and Licensing (Department) by Ms. Conway is 4614 West Melvina Street, Milwaukee, Wisconsin 53216.

2. Dushan Danielle Conway is also duly licensed as a barbering or cosmetology practitioner in the state of Wisconsin (license #82-88174). That license was first granted on March 6, 2008, and is current until March 31, 2009.

3. On February 12, 2008, Departmental Investigator Michelle Krisher inspected Ultimate Trends & Boutique (license #80-24429; granted: 11/01/00), 6815 North Green Bay Road, Glendale, Wisconsin 53204, a licensed barbering and cosmetology establishment. Investigator Krisher found Ms. Conway renting a booth in Ultimate Trends & Boutique that was not licensed with the Department as a separate establishment.

4. Investigator Krisher also found at Ultimate Trends & Boutique brochures that showed a price list for Ms. Conway's manicuring, aesthetics and hair care services. Ms. Conway only possessed a Wisconsin manicurist license at the time of the inspection.

5. In resolution of this matter, Dushan Danielle Conway 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. Stats. Sec. 454.15.

2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Wis. Stats. Sec. 227.44(5).

3. The findings described to in Findings of Fact 3. and 4., are violations of Wis. Stat. sec. 454.04(1)(a), which states that 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. The findings described in Findings of Fact 3. and 4., are violations of Wis. Stat. sec. 454.15(2)(c), which states that the Barbering and Cosmetology Examining Board may discipline any licensee who has engaged in the practice of barbering or cosmetology, aesthetics, electrology or manicuring which evidences a lack of knowledge or ability to apply professional principles or skills.

5. The findings described in Findings of Fact 3. and 4., are violations of Wis. Stat. Sec. 454.15(2)(i), which indicates that violation of Chapter 454 or of the Administrative Code promulgated under Chapter 454 are cause for discipline.

6. The findings described in Findings of Fact 3. and 4., are violations of Wis. Admin. Code § BC 2.03(1), which states that services provided by any licenses shall be performed in a manner that is consistent with basic and accepted practice standards and in accordance with all state statutes, board rules and local codes and ordinances.

7. The findings described in Findings of Fact 3. and 4., are violations of Wis. Admin. Code § BC 2.03(2), which states that licensees may provide only those services which they are competent to perform by training or experience and are licensed to provide.

8. The findings described in Findings of Fact 3. and 4., are violations of Wis. Admin. Code § BC 2.04(1), which states that licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.

9. The findings described in Findings of Fact 3. and 4., are violations of Wis. Admin. Code § BC 2.04(2), which states that licensees shall report to the board unauthorized or unlicensed practice or other violations of ch. 454, Stats., and chs. BC 1 to 9.

10. The findings described in Findings of Fact 3. and 4., are violations of Wis. Admin. Code § BC 2.08(1)(b), which states that licensees holding current licenses or permits granted under ch. 454, Stats., shall be responsible for their own professional practice, conduct and compliance with ch. BC 2.

11. The finding described in Findings of Fact 3, is a violation of Wis. Admin. Code § BC 3.02 (2)(a), which states that an owner may lease a chair or booth to a licensed individual if the lease agreement is in writing.

12. The finding described in Findings of Fact 3., is a violation of Wis. Admin. Code

§ BC 3.02 (2)(b), which states that an owner may lease a chair or booth to a licensed individual as follows: The lessee of the chair or booth shall be responsible of ensuring that the lease chair or booth operates in compliance with ch. 454, Stats., and that the rules of the board, and the lessee shall hold a manager's and an establishment license.

**ORDER**

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Dushan Danielle Conway's Wisconsin manicurist license (license #85-1723) is REPRIMANDED.

**NOW, THEREFORE, IT IS ALSO ORDERED** that Dushan Danielle Conway shall pay to the Department of Regulation and Licensing a forfeiture of ONE THOUSAND dollars (\$1,000.00) on the following schedule:

FIVE HUNDRED dollars (\$500.00) shall be submitted SIXTY (60) days from the effective date of this Order. TWO HUNDRED FIFTY dollars (\$250.00) shall be submitted NINETY (90) days from the effective date of this Order. TWO HUNDRED FIFTY dollars (\$250.00) shall be submitted ONE HUNDRED TWENTY (120) days from the effective date of this ORDER.

Payment shall be made by *certified check or money order*, payable to the Wisconsin Department of Regulation and Licensing and submitted 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 Dushan Danielle Conway fails to timely submit any payment of the forfeiture as set forth above, the manicurist license of Dushan Danielle Conway (license #85-1723) and the barbering or cosmetology practitioner license of Dushan Danielle Conway (license #82-88174) **SHALL BE SUSPENDED**, without further notice or hearing, until Dushan Danielle Conway 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

2/2/09  
Date