

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/wscca>.
- 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

STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	
LORI A. DESCHNER,	:	LS0902026BAC
RESPONDENT.	:	

Division of Enforcement Case File # 06 BAC 036

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

Lori A. Deschner
909 Racine Street
Delavan, WI 53115

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53707-8935

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 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. Respondent Lori A. Deschner is licensed in the State of Wisconsin as a Barbering or Cosmetology Practitioner, license # 82-43308. This license was first granted to her on 10/13/1981 and is current through 03/31/2009. The most recent address on file with the Department of Regulation and Licensing for Ms. Deschner is 909 Racine Street, Delavan, WI 53115.

2. On June 6, 2005, the Barbering and Cosmetology Examining Board disciplined Lori A. Deschner in Division of Enforcement Case No. 04 BAC 009 for failing to employ a manager of record for approximately two years at Panache (barbering and cosmetology establishment # 80-21237, located at 828 E. Geneva Street, Delevan, WI), failing to change Barbicide solution daily, failing to post a copy of the Blood Exposure Protocol in the salon, and failing to submit an application to the Department for a new establishment license after her salon had moved to a different location at 1428 E. Geneva Street, Delevan, WI.

3. The investigation in the present case revealed that Ms. Deschner failed to employ a full-time manager for Panache (license # 80-32303), located at 1428 E. Geneva Street, Delevan, WI, from approximately January 2005 until she sold the salon in April 2006, and failed to notify the Department when Panache was no longer operating without a manager of record. During that time, Ms. Deschner was the owner of Panache and was therefore responsible for employing a full-time

manager for the salon.

4. The investigation in the present case revealed further that the establishment license for Panache (# 80-32303) expired on 06/30/2005, and the salon remained in operation under Ms. Deschner's ownership until Ms. Deschner sold the salon in April 2006. Ms. Deschner's explanation for this is that she erroneously renewed the license for her prior salon, also called Panache, instead of the license for the new Panache. Department records show that the establishment license for Panache (# 80-21237), located at 828 E. Geneva Street, Delevan, WI, the establishment Ms. Deschner owned prior to Panache (#80-32303) located at 1428 E. Geneva Street, Delevan, WI, was renewed in July 2005. It does appear that Ms. Deschner renewed the wrong establishment license.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Respondent Lori A. Deschner has violated:

a. Wis. Stat. § 454.08(6) and Wis. Admin. Code §§ BC 2.06(5) and BC 3.02(1) by failing to employ a full-time manager for Panache at 1428 E. Geneva Street, Delevan, WI, for approximately fifteen months, from January 2005 to April 2006; and

b. Wis. Stat. by failing to renew the correct establishment license for the new location of Panache

3. This is Ms. Deschner's second violation of Wis. Stat. § 454.08(6) and Wis. Admin. Code §§ BC 2.06(5) and BC 3.02(1) for failing to employ a manager at Panache.

4. As a result, Deschner is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The practitioner's license of Lori A. Deschner (license # 82-43308) is hereby SUSPENDED for 10 working days, beginning 10 working days from the date of this Order.

IT IS FURTHER ORDERED that:

2. Respondent shall pay a FORFEITURE in the amount of SEVEN HUNDRED FIFTY DOLLARS (\$750.00) and shall pay COSTS in the amount of SEVEN HUNDRED FIFTY DOLLARS (\$750.00).

3. 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
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

4. Payment of the forfeiture and costs, which total FIFTEEN HUNDRED DOLLARS (\$1,500.00), shall be made according to the following schedule:

PAYMENT DUE DATE	PAYMENT AMOUNT
March 1, 2009	\$300.00
June 1, 2009	\$300.00
September 1, 2009	\$300.00
December 1, 2009	\$300.00
March 1, 2010	\$300.00

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may, in the alternative, impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fail to timely submit any payment as ordered, then the Respondent's license (#82-43308) SHALL BE SUSPENDED without further notice or hearing until Respondent has complied with the terms of this Order.

6. This Order is effective on the date of its signing.

Dated this 2nd day of February, 2009.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Jeannie M. Bush