

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	:	
	:	FINAL DECISION AND ORDER
JOSE A. SANCHEZ AND	:	
SUPREME CLIENTELE HAIR STUDIO,	:	ORDER 0000 402
RESPONDENTS	:	

Division of Enforcement Case File # 06 BAC 054

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

Jose A. Sanchez
3316 W. Layton Ave.
Greenfield, WI 53221

Supreme Clientele Hair Studio
1114 W. Historic Mitchell Street
Milwaukee, WI 53204

Wisconsin 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 Wisconsin Barbering and Cosmetology Examining (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 Jose A. Sanchez is licensed in the state of Wisconsin as a Barbering and Cosmetology Practitioner, license # 82-80212. This license was first granted to him on 07/17/2001 and is current through 03/31/2011. Respondent Sanchez is listed as the owner of Supreme Clientele Hair Studio.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Respondent Sanchez is 3316 W. Layton Ave., Greenfield, WI 53221.

3. Respondent Supreme Clientele Hair Studio is licensed in the state of Wisconsin as a Barbering and Cosmetology Establishment, license # 80-30131. This license was first granted on 11/16/2001 and is current through 03/31/2011.

4. The most recent address on file with the Department for Respondent Supreme Clientele Hair Studio is 1114 W. Historic Mitchell Street, Milwaukee, WI 53204.

5. On or about October 25, 2005, Miroslava Arias notified the Department that on October 1, 2005, she resigned as manager of Supreme Clientele Hair Studio. Salon owner, Jose Sanchez, failed to respond to the Department's April 7, 2006, letter that he notify the Department of a new manager. A case was subsequently opened for investigation.

6. Past disciplinary action includes an August 5, 2002 Board Order for a forfeiture of \$2,000.00 for operating an unlicensed establishment, no manager of record and permitting an unlicensed individual to work in the establishment.

7. On September 20, 2006, during the course of the Department's investigation, an investigator from the Department made an unannounced visit to Supreme Clientele Hair Studio in Milwaukee, Wisconsin. The inspection and investigation revealed the following violations:

- There was no full-time manager from approximately 04/17/2006 to 09/21/2006, 11/14/2006 to 04/02/2007 and 07/01/2007 to 01/30/2008;
- There were hair clippings all over workstation tabletops, in workstation drawers and on equipment;
- There were hair clippings on the electric razor, razor attachments and combs;
- The Barbicide at workstations was dirty with floating debris; and
- There was no supply of disposable gloves in the salon.

8. A follow-up inspection of Supreme Clientele Hair Studio was performed on September 25, 2006 and found the salon to be in basically the same condition as the September 20, 2006 inspection.

9. In resolution of this matter, Respondents Jose A. Sanchez and Supreme Clientele Hair Studio consent 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. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in paragraphs 7-8 of the Findings of Fact, Respondents Jose A. Sanchez and Supreme Clientele Hair Studio have violated:

- Wis. Stat. § 454.08(6) and Wis. Admin. Code § BC 3.02(1) by failing to employ a full-time manager;
- Wis. Admin. Code §§ BC 4.01(7) and BC 4.02 by failing to keep equipment and instruments clean and sterilized or disinfected;
- Wis. Admin. Code § BC 4.02(5) by failing to change disinfectant used for decontamination on a daily basis; and
- Wis. Admin. Code §§ BC 3.01(1) and BC 4.01(1) by failing to maintain the establishment in a clean and sanitary condition.

3. As a result of the violations noted in paragraph 2 of the Conclusions of Law, Jose A. Sanchez and Supreme Clientele Hair Studio are subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondents Jose A. Sanchez and Supreme Clientele Hair Studio be, and hereby are, REPRIMANDED.

2. Respondents Jose A. Sanchez and Supreme Clientele Hair Studio shall pay COSTS in the amount of ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00) and a FORFEITURE in the amount of ONE THOUSAND NINE HUNDRED DOLLARS (\$1,900.00).

IT IS FURTHER ORDERED that:

3. A payment of ONE HUNDRED FIFTY DOLLARS (\$150.00) will be paid within thirty (30) days from the date of this Order and six more payments of FIVE HUNDRED DOLLARS (\$500.00) will be paid ninety (90) days from the previous payment until \$3,150.00 is paid in full.

4. Payment of the costs and forfeiture 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

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 Respondents' licenses. 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 Respondents fail to timely submit payment of the costs and payment of the forfeiture as ordered and as set forth above, the Respondents' licenses (# 80-30131 and # 82-80212) may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the costs and forfeiture.

IT IS FURTHER ORDERED, that file, 06 BAC 054 be, and hereby is, closed.

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

Dated this 13 day of September, 2010.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leslie M. Bush