

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
KATHERINE L. BUTLER,	:	
RESPONDENT.	:	ORDER 0000646

Division of Enforcement Case Number 09 BAC 013

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

Katherine L. Butler
4231 La Junta Drive
Loveland, CO 80538

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

Wisconsin Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

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 (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 Katherine L. Butler is licensed in the state of Wisconsin as a Barbering and Cosmetology Manager, license number 81-28582. This license was first granted to her on 01/04/2001 and is current through 03/31/2011.

2. The most recent address on file with the Wisconsin Department of Regulation and Licensing (Department) for Respondent Katherine L. Butler is 4231 La Junta Drive, Loveland, CO 80538.

3. During the course of a different investigation, a Department investigator discovered that a practitioner may have rented a salon chair at a salon owned by Katherine L. Butler without the required separate manager's and establishment licenses. Subsequently, on or about February 17, 2009, a case against Katherine L. Butler was opened for investigation.

4. The Department's investigation revealed that Katherine L. Butler rented a salon chair to Jessica Rubio for approximately two weeks in September 2007. At the time, Ms. Rubio did not have the required separate manager's and establishment licenses.

5. In resolution of this matter, Respondent Katherine L. Butler 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. 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 the Findings of Fact, Katherine L. Butler has violated Wis. Admin. Code §§ BC 2.04(1) and BC 3.02(2)(b) by failing to require a separate manager's license and establishment license for a chair rental.

3. As a result of the violations noted in paragraph 2 of the Conclusions of Law, Katherine L. Butler is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Respondent Katherine L. Butler is hereby REPRIMANDED.
2. Within ninety (90) days from the date of this Order, Respondent Katherine L. Butler shall pay a FORFEITURE in the amount of TWO HUNDRED DOLLARS (\$200.00).
3. Payment of the forfeiture shall be made 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. 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 Katherine L. Butler fails to timely submit payment of the forfeiture as ordered and as set forth above, Respondent Butler's license (number 81-28582)

may, in the discretion of the board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the forfeiture.

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

Dated this 31 day of January, 2011.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Janice M. Baech