

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE HEARING AND SPEECH EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
SAMANTHA E. SIKORSKI, :
RESPONDENT. :

ORDER 0000952

[Division of Enforcement Case # 09 HAD 011]

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

Samantha E. Sikorski
2246 18 ¾ Avenue
Rice Lake, WI 54868

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

Hearing and Speech 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 Wisconsin Hearing and Speech Examining 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. Samantha E. Sikorski ("Respondent") was born on April 15, 1978, and is licensed as a hearing instrument specialist in the state of Wisconsin, pursuant to license number 1226-60. This license was first granted on December 8, 2003.

2. Respondent's most recent address on record with the Hearing and Speech Examining Board is 2246 18 ¾ Avenue, Rice Lake, WI 54868.

3. At all times relevant to this action, Respondent was employed at the Accurate Hearing Center in Eau Claire, Wisconsin.

4. There were many advertisements for the Accurate Hearing Center (AHC) in the 2008-2009 Eau Claire Yellowbook, highlighting their services.

5. A number of the advertisements infer that AHC has audiologists on staff and on site who will evaluate the client's hearing, for a fee. On page 52 of the 2008-2009 Eau Claire Yellowbook, AHC's contact information is listed under the heading "Audiologists".

6. On or about January 2009, AHC sent letters to potential clients advertising a new line of hearing instruments that was coming out. It advertised that AHC needed thirty-five people to participate in a comprehensive field test for the new hearing instruments. One of the benefits to come in and try the new line of hearing instruments was that audiologists at AHC would give "complete, state-of-the-art hearing evaluations".

7. AHC, in fact, does not have any licensed audiologists affiliated with the business to provide hearing tests for clients.

CONCLUSIONS OF LAW

1. The Wisconsin Hearing and Speech Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 459.10 and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. By engaging in deceptive advertising, as described in paragraphs 5-7, above, Respondent has violated Wis. Stat. § 459.10(1)(g).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Samantha E. Sikorski (No. 1226-60), to practice as a hearing instrument specialist, is hereby SUSPENDED for a period of two (2) weeks, or fourteen (14) days, commencing on the effective date of this Order.

2. Respondent shall, within ninety (90) days of the date of this Order, pay costs of this proceeding in the amount of NINE HUNDRED DOLLARS (\$900.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

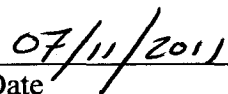
Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

3. 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 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 fails to timely pay costs as ordered, Respondent's license to practice as a hearing instrument specialist in Wisconsin (license #1226-60), **SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.**

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

HEARING AND SPEECH EXAMINING BOARD

By:  _____
A Member of the Board

 _____
Date