

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

KAREN L. GAUERKE,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER  
:  
: ORDER 0001423  
:

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Division of Enforcement Case Nos. 11 FDR 003 and 11 FDR 008

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

Karen L. Gauerke  
101 N. 2nd St.  
Tomahawk, WI 54487

Wisconsin Funeral Directors Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Division of Enforcement  
Department of Safety and Professional Services  
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 Funeral Directors 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Karen L. Gauerke (dob 04/10/1986) is licensed in the State of Wisconsin as a Funeral Director, having license number 77-5837, first issued on 04/05/2011 and current through 12/14/2013. Ms. Gauerke's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 101 N. 2nd St., Tomahawk, WI 54487.
2. Respondent Gauerke was licensed in the State of Wisconsin as a Funeral Director Apprentice, license number 700-4529, first issued on 08/29/2006, expired 01/08/2009, renewed 03/02/2011, and moved to "Inactive" status on 04/05/2011, when her funeral director license was granted.

3. In January 2011, the Department received complaints alleging, in part, that Karen L. Gauerke worked as a funeral director at Schmidt & Bartelt, Inc. and at Krueger Family Funeral Home without a funeral director license.

4. The Department's investigation revealed that Respondent Gauerke worked as a funeral director at Schmidt & Bartelt, Inc. without a funeral director license from August 2008 until September 2010.

5. Respondent Gauerke intentionally misled Schmidt & Bartelt, Inc. to believe she had a funeral director license.

6. The Department's investigation revealed that Respondent Gauerke worked at Krueger Family Funeral Home as a funeral director without a funeral director license from September 2010 until January 2011.

7. Respondent Gauerke intentionally misled Krueger Family Funeral Home to believe she had a funeral director license.

8. In resolution to this matter, Respondent Karen L. Gauerke consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 445.13, 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, Respondent violated Wis. Stat. § 445.04(2) by working as a funeral director without a funeral director license.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § FD 3.02(9) by intentionally misleading a funeral home into believing she was a licensed funeral director, when in fact, she was not.

4. As a result of the above violations, Respondent Karen L. Gauerke is subject to discipline pursuant to Wis. Stat. § 445.13(1).

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.

2. The Funeral Director license of Karen L. Gauerke (license number 77-5837) is hereby SUSPENDED for a period of two (2) months beginning on the date of this Order.

3. Within 90 days of the date of this Order, Respondent Karen L. Gauerke shall pay COSTS of this matter in the amount of \$419.00.

4. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor  
Division of Enforcement  
Department of Safety and Professional Services  
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 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 fails to timely submit payment of the costs as ordered, Respondent's license (no. 77-5837) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of costs.

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

WISCONSIN FUNERAL DIRECTORS EXAMINING BOARD

by:   
A Member of the Board

3-21-12  
Date