

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF A PETITION FOR AN :  
ADMINISTRATIVE INJUNCTION INVOLVING :  
: **ADMINISTRATIVE INJUNCTION**  
SARA L. REMINGTON, :  
RESPONDENT. : **0003629**

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Division of Legal Services and Compliance Case No. 14 UNL 073

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

Sara L. Remington  
5699 Regent Street  
Stevens Point, WI 54482

Wisconsin Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368

Division of Legal Services and Compliance  
Wisconsin Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

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 Department of Safety and Professional Services (Department). The Department has reviewed this Stipulation and considers it acceptable.

Accordingly, the Department adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Sara L. Remington is not and has never been licensed to practice as a massage therapist or bodyworker in the State of Wisconsin.
2. Respondent underwent a training course at a now-closed institution in Milwaukee, in massage therapy and bodywork therapy, in 1998. Although Respondent successfully completed the course of instruction, Respondent did not obtain a license to practice massage therapy and bodywork therapy in Wisconsin, or in any other jurisdiction.

3. On and between February 2014, and mid-September 2014, Respondent was employed as a massage therapist by a cosmetology "spa" establishment in Stevens Point, Wisconsin. Respondent held herself out as a massage therapist, and gave massages intended as therapeutic, to customers throughout this period of time.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Safety and Professional Services has jurisdiction in this matter pursuant to Wis. Admin. Code ch. SPS 3 and Wis. Stat. § 440.21, and is authorized to enter into the attached Stipulation and Order pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in the Findings of Fact constitutes the unlicensed practice of massage therapy and bodywork therapy, contrary to Wis. Stat. § 460.02.

ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed as a massage therapist or bodywork therapist by the Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board, Respondent is enjoined and prohibited from the practice of massage therapy or bodywork therapy in the State of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. *See* Wis. Stat. § 440.21(4)(a).

3. If the Department determines that there is probable cause to believe that Respondent has violated any terms of this Administrative Injunction, the Department may refer the violations covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 15<sup>th</sup> day of January, 2015.

By:



Michael J. Berndt, Chief Counsel  
On behalf of the Department

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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF A PETITION FOR AN :  
ADMINISTRATIVE INJUNCTION INVOLVING :

STIPULATION

SARA L. REMINGTON,  
RESPONDENT. :

0003629

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Division of Legal Services and Compliance Case No. 14 UNL 073

Respondent Sara L. Remington, and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondent agrees to the adoption of the attached Administrative Injunction by the Department of Safety and Professional Services. The parties to the Stipulation consent to the entry of the attached Administrative Injunction without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Department's order, if adopted in the form as attached.

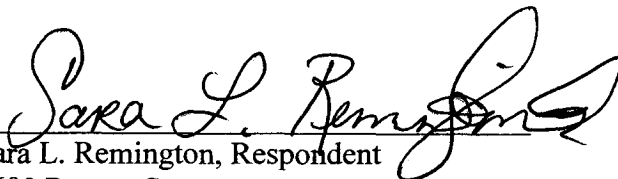
5. If the terms of this Stipulation are not acceptable to the Department, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the

Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

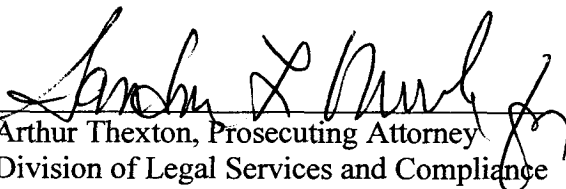
6. The parties to this Stipulation agree that the attorney for the Division may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation, the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.

  
Sara L. Remington, Respondent  
5699 Regent St.  
Stevens Point, WI 54482

Dec. 28<sup>th</sup>, 2014  
Date

  
Arthur Thexton, Prosecuting Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

1/14/14  
Date