

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

:
:
:
:
:

FINAL DECISION AND ORDER
OF DEFAULT

PAMELA HOLMES,
RESPONDENT.

0005422

Division of Legal Services and Compliance Case No. 16 BAC 024

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

Pamela Holmes
W5119 County Road G E
Mauston, WI 53948

Wisconsin Cosmetology Examining Board
P.O. Box 8366
Madison, WI 53708-8366

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

PROCEDURAL HISTORY

This matter comes before the Wisconsin Cosmetology Examining Board (Board) as citations to which Respondent Pamela Holmes has made no timely payment. Based on the record in this case, the Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Pamela Holmes (DOB 12/6/1969) is licensed by the State of Wisconsin as a manicurist, having license number 9070-85, first issued on May 19, 2014, and current through March 31, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is W5119 County Road G E, Mauston, Wisconsin 53948.

2. Following an inspection on April 14, 2016, a Department investigator issued Respondent a \$250 citation for participating in the unlicensed practice of manicuring by providing manicuring services while as a booth renter without an establishment license. Service

was accomplished by mail. A true and correct copy of this citation is attached as Exhibit A and is incorporated herein by reference.

3. Respondent has not paid the citation that was issued to Respondent on April 25, 2017.

CONCLUSIONS OF LAW

1. The Wisconsin Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. Respondent violated Wis. Admin. Code § Cos 2.04(1) by participating in the unlicensed practice of manicuring by providing manicuring services outside a licensed establishment.

3. As a result, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and (3).

4. Respondent is in default pursuant to Wis. Admin. Code § Cos 10.07(1) for failing to make a deposit.

5. Pursuant to Wis. Admin. Code § Cos 10.07(1), the Board has the authority to issue an Order of Default against Respondent for the amount identified in the citation without further proceedings.

ORDER

1. Respondent Pamela Holmes (license number 9070-85) is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$250 within thirty (30) days from the date of this Order.

2. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817, Fax (608) 266-2264

3. In the event Respondent fails to timely submit payment of the forfeiture as set forth above, Respondent's license (number 9070-85), or Respondent's right to renew her license, 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.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by: Vicny McQuilly
A Member of the Board

9/11/2017
Date

Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 7190
Madison, WI 53707-7190

FAX #: (608) 266-2264
Phone #: (608) 266-2112

1400 E. Washington Avenue
Madison, WI 53703
E-Mail: dsps@wisconsin.gov
Website: <http://dsps.wi.gov>

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # <u>16 BAC 024</u>	FINAL DECISION AND ORDER
<u>Pamela Holmes</u>	ORDER # _____
<input checked="" type="checkbox"/> Individual Credential Holder Name	<input type="checkbox"/> Establishment Name
License # <u>9070-85</u>	License # _____

522 Highway 82 Suite E Mauston 53948
Street City Zip

Thursday 4-14-16 10:10 am
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Pamela Holmes participated in unlicensed practice of manicuring by providing manicuring services while as a booth renter without an establishment licence.

In violation of Section Cos 2.04(1) of ☐ Wis. Stats. OR ☒ Wis. Adm. Code
IS 75 Investigator 4-25-17
Signature of Division Investigative Staff Title Date

Signature of ☐ Licensee OR ☐ Establishment Owner Date

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

PLEASE TAKE NOTICE THAT THE CREDENTIAL HOLDER MAY DEPOSIT A FORFEITURE IN THE AMOUNT OF \$ 250.00 BY MAILING A CHECK OR MONEY ORDER NO LATER THAN TWENTY (20) DAYS FROM THE DATE OF THIS CITATION, TOGETHER WITH THE SIGNED COPY OF THIS FORM TO: DEPARTMENT OF SAFETY & PROFESSIONAL SERVICES, DIVISION OF LEGAL SERVICES & COMPLIANCE, 1400 E. WASHINGTON AVENUE, PO BOX 7190, MADISON, WI 53707-7190. IF THIS CITATION IS ISSUED TO BOTH AN INDIVIDUAL CREDENTIAL HOLDER AND AN ESTABLISHMENT, ONE HALF OF THE FORFEITURE IS DEEMED TO BE ASSESSED AGAINST EACH CREDENTIAL. PAYMENT SHALL BE TREATED AS A PLEA OF NO CONTEST TO THE VIOLATION CITED ABOVE AND CONSENT TO AN ORDER OF FORFEITURE, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

Please reference "NOTICE OF RIGHT TO CONTEST" on backside of pink copy.

Vicki J. McNealey
A Member of the Board

9/11/2017
Date

#3053DLSC (11/14)
Ch.454, Stats.

Committed to Equal Opportunity in Employment and Licensing

EXHIBIT

A