

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE MASSAGE THERAPY AND BODYWORK THERAPY AFFILIATED
CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CATHRYN A. DAVIS,
RESPONDENT.

:
:
: FINAL DECISION AND ORDER
:
: **ORDER 0006392**

Division of Legal Services and Compliance Case No. 17 MAB 006

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

Cathryn A. Davis
5726 South Brenwood Dr.
Katy, TX 77449

Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
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 Massage Therapy and Bodywork Therapy Affiliated Credentialing 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 Cathryn A. Davis (DOB April 7, 1964) was licensed in the state of Wisconsin to practice message therapy or bodywork therapy (License # 12055-146). Her license was first issued on October 9, 2012 and is currently expired as of February 28, 2019, but subject to late renewal. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5726 South Brenwood Drive, Katy, Texas 77449.

2. Respondent was also licensed in the state of Wisconsin as a manicurist (License # 4086-85) and an aesthetician (License # 2632-86). Both of those licenses are expired as of March 31, 2019.

3. On February 24, 2017, the Department received a "Convictions and Pending Charges Form" by which Respondent self-reported two felony convictions dated June 24, 2015 for Possession of Schedule I and II Narcotic Drugs and Possession of a Firearm by a Felon (2015 Convictions).¹

4. The 2015 Convictions resolved Milwaukee County Case Number 14-CF-3184, which was filed on July 24, 2014.

5. Respondent renewed her Wisconsin license to practice massage therapy and bodywork therapy on May 11, 2015. At that time, Respondent failed to disclose the pending charges which led to the 2015 Convictions, which she then failed to report until February 24, 2017.

6. In the course of investigating this matter, the Department requested a Wisconsin Department of Justice Crime Information Bureau report (CIB Report). The CIB Report indicated that Respondent had previously been charged with and convicted of various felonies and misdemeanors, including charges of prostitution in 1986 and 1989, with the latter resulting in a conviction for prostitution in violation of Wis. Stat. § 944.30.

7. At the time Respondent applied for her Wisconsin license to practice massage therapy and bodywork therapy, an applicant was required to disclose a prior conviction for prostitution and said conviction was grounds to deny the license application.

8. Respondent's failure to disclose the prostitution conviction and her failure to timely report the 2015 Convictions, which are substantially related to the practice of massage therapy and bodywork therapy, violate multiple provisions of law which apply to the practice of massage therapy and bodywork therapy in Wisconsin.

9. Respondent agrees to voluntarily surrender her Wisconsin license to practice massage therapy and bodywork therapy (License # 12055-146), and her right to renew said license, and consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 460.02, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

¹ Another felony charge for Possession With Intent To Deliver THC was dismissed but read in.

2. The Board accepts the PERMANENT VOLUNTARY SURRENDER by Respondent Cathryn A. Davis of her Wisconsin license to practice massage therapy and bodywork therapy (License # 12055-146), and her right to renew said license, effective the date of this Order.

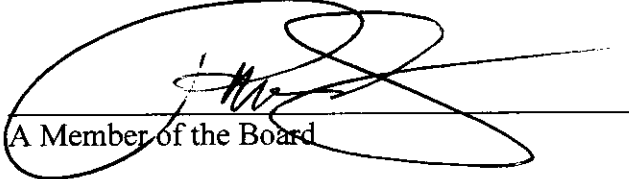
3. This surrender constitutes Respondent's permanent relinquishment of her license to practice massage therapy and bodywork therapy in the state of Wisconsin. The Board will not at any time in the future process or otherwise consider an application or attempt at renewal by Respondent of credentials necessary to practice massage therapy and bodywork therapy in the state of Wisconsin.

4. If Respondent ever seeks any other license under Wis. Stat. chs. 440-480, Cathryn A. Davis shall, as a prerequisite to application, pay the COSTS of this matter in the amount of \$544.26. If Respondent never again seeks licensure in Wisconsin, the Department waives the above-stated costs.

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

WISCONSIN MASSAGE THERAPY AND BODYWORK THERAPY
AFFILIATED CREDENTIALING BOARD

by:


A Member of the Board

9/3/19
Date

STATE OF WISCONSIN
BEFORE THE MASSAGE THERAPY AND BODYWORK THERAPY AFFILIATED
CREDENTIALING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

CATHRYN A. DAVIS,
RESPONDENT.

STIPULATION

ORDER 0006392

Division of Legal Services and Compliance Case No. 17 MAB 006

Respondent Cathryn A. Davis 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.

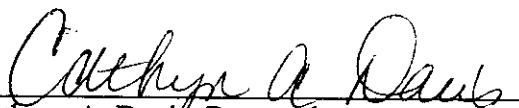
4. Respondent agrees to the adoption of the attached Final Decision and Order by
the Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board (Board).
The parties to the Stipulation consent to the entry of the attached Final Decision and Order
without further notice, pleading, appearance or consent of the parties. Respondent waives all
rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

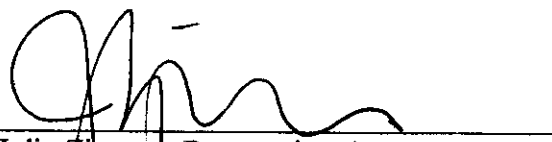
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order 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 Board adopt this Stipulation and issue the attached Final Decision and Order.


Cathryn A. Davis, Respondent
5726 South Brenwood Dr.
Katy, TX 77449
License # 12055-146

6-17-19
Date


Julie Zimmer, Prosecuting Attorney
Department of Safety and Professional Services
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

6-25-19
Date