

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

AMANDA M. LOUCKS,
RESPONDENT.

:
: ADMINISTRATIVE INJUNCTION
:
:

ORDER 0007202

Division of Legal Services and Compliance Case No. 18 UNL 145 (MAB)

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

Amanda M. Loucks
Kewaunee, WI 54216

Wisconsin Department of Safety and Professional Services
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

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 Amanda M. Loucks (DOB xx-xx-1988) was previously licensed in the state of Wisconsin as a massage therapist or bodyworker therapist, having had license number 11900-146, first issued on July 18, 2012, and expired on February 28, 2013.¹
2. Respondent has not renewed or attempted to renew her license since it expired on February 28, 2013.

¹ Respondent is also licensed in the state of Wisconsin as a manicurist, having license number 9967-85, first issued on May 30, 2017, and current through March 31, 2021.

3. Respondent has continued to practice massage therapy since her license expired, most recently at a spa and salon in Kewaunee, Wisconsin (Spa).
4. As of December 11, 2020, the Spa's website identified Respondent as a massage therapist and offered massage therapy services provided by Respondent.
5. Respondent states she has never held herself out as a licensed massage therapist and has stopped providing massage at the Spa or elsewhere.
6. Respondent consents to the entry of the following Conclusions of Law and Order.

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. Pursuant to Wis. Stat. § 460.02, no person may provide massage therapy or bodywork therapy, designate himself or herself as a massage therapist or bodywork therapist or masseur or masseuse nor use any other title or designation that may tend to represent that he or she is licensed under this chapter, unless the person is licensed under this chapter.
3. The conduct described above constitutes the unlicensed practice of massage therapy or 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 bodyworker therapist by the Wisconsin Massage Therapy & Bodywork Therapy Affiliated Credentialing Board (Board), Respondent is enjoined and prohibited from the practice of massage therapy or bodywork therapy in the State of Wisconsin.
3. Respondent shall provide a copy of this Administrative Injunction with any application she submits for a license issued by the Board.
4. 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 to the appropriate prosecutorial unit for review for possible criminal charges.
5. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 7th day of February, 2021.

By: A. Rohmeyer
Aloysius Rohmeyer, Chief Legal Counsel
On behalf of the Department

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

AMANDA M. LOUCKS,
RESPONDENT.

STIPULATION

ORDER 0007202

Division of Legal Services and Compliance Case No. 18 UNL 145 (MAB)

Respondent Amanda M. Loucks, and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

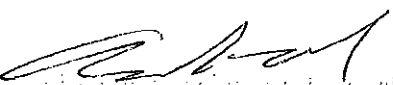
1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.
2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives 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. 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 Administrative Injunction, 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 Department of Safety and Professional Services 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.

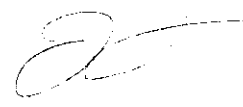
7. Respondent is informed that should the Department adopt this Stipulation; the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

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


Amanda M. Loucks, Respondent
Kewaunee, WI 54216

Date

1-05-21


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

Date

1/19/2021