

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 APPLICATION FOR
RENEWAL OF A
MASSAGE THERAPIST OR BODYWORK
THERAPIST CREDENTIAL

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ORDER GRANTING
LIMITED LICENSE

TONYA L. KAROW,
APPLICANT.

ORDER 0007432

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

Tonya L. Karow
Kronenwetter, WI 54455-7219

Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board
Department of Safety and Professional Services
4822 Madison Yards Way
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 resolution of this renewal application. The Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board (Board) adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. On or about February 17, 2021, Tonya L. Karow (Applicant) filed an application to renew her Wisconsin Massage Therapist or Bodywork Therapist credential (#13859-146).
2. Information received in the application process reflects that on or about April 21, 2021, Applicant entered into a deferred prosecution agreement for the following criminal charge:
 - A. Incident Date of October 24, 2020 – Child Abuse-Intentionally Cause Harm, a felony level charge, in Marathon County case number 20CF1087.
 - i. Applicant states she was involved in an altercation with her sixteen (16) year old child who has Autism, Oppositional Defiant Disorder, and Attention Deficit Hyperactivity Disorder.

- ii. The police report states that Applicant and her child got into an argument over raking leaves. Applicant's child told police he is tired of being physically and mentally abused. Applicant's child alleged Applicant pushed him out of a doorway, then kicked him in the shin, which formed a bruise. The police report notes Applicant admitted to pushing and kicking her child out of frustration.
- iii. Applicant is required to comply with all terms and conditions of her deferred prosecution agreement for a period of eighteen (18) months.

3. In resolution of the matter, Applicant consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 460.05 and is authorized to enter the attached Stipulation pursuant to Wis. Stat. §§ 15.08(5)(c) and 227.44(5).

2. Pursuant to Wis. Stat. § 460.14(2)(b), the Board may deny or limit a license if, subject to Wis. Stat. §§ 111.321, 111.322, and 111.335, the Applicant has been convicted of an offense the circumstances of which substantially relate to the practice of massage therapy or bodywork therapy.

3. Pursuant to Wis. Stat. § 111.335(4)(a), it is not employment discrimination to refuse to license an individual who is subject to a pending criminal charge if the charge is substantially related to the practice of massage therapy or bodywork therapy and is an exempt offense.

4. Child Abuse-Intentionally Cause Harm, in violation of Wis. Stat. § 948.03(2)(b), is substantially related to the practice of massage therapy or bodywork therapy.

5. Pursuant to Wis. Stat. § 111.335(1m)(b)1., Child Abuse-Intentionally Cause Harm, in violation of Wis. Stat. § 948.03(2)(b), is an exempt offense.

6. Pursuant to Wis. Stat. § 440.08(4), the Board may deny the Applicant's application for renewal of her Massage Therapist or Bodywork Therapist credential to protect the public health, safety, or welfare.

7. By the conduct described in the Findings of Fact, Applicant is subject to limitations on her license pursuant to Wis. Stat. §§ 440.08(4) and 460.14(2)(b).

ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's Massage Therapist or Bodywork Therapist credential are necessary to ensure that she is fit and competent to practice as a Massage Therapist or Bodywork Therapist.

3. Applicant's ability to practice as a Massage Therapist or Bodywork Therapist in the state of Wisconsin, is LIMITED for a period of at least two (2) years as follows:

- A. Applicant shall show a copy of this Order to her current and any future employer. Applicant shall provide the Department of Safety and Professional Services Monitor (Department Monitor) with written acknowledgement from each employer that a copy of this Order has been received. Such acknowledgement shall be provided to the Department Monitor within fourteen (14) days of beginning new employment and/or within fourteen (14) days of the date of this Order for employment current as of the date of this Order.
- B. It is Applicant's responsibility to arrange for her massage therapist or bodywork therapist supervisor(s) to provide work reports to the Department Monitor on a quarterly basis, beginning 90 days from the date of this Order. These reports shall describe the Applicant's activities, including:
 - i. Applicant's attendance,
 - ii. Quality of work,
 - iii. Interpersonal relationships with co-workers,
 - iv. Whether Applicant has undergone an individual performance evaluation and the outcome of any evaluation,
 - v. The quality and appropriateness of Applicant's interactions with clients, and
 - vi. whether Applicant has practiced massage therapy or bodywork therapy in a manner that complies with the minimal standards of practice.
- C. Applicant shall report to the Department Monitor any change of employment status, residence, address or telephone number within five (5) days of the date of a change.
- D. Applicant shall commit no new violations of law and shall report all law enforcement contacts leading to arrest, charge or conviction, including DWI/OWI and municipal/ordinance violations, to the Department Monitor within forty-eight (48) hours of any such event, including any convictions resulting from pending charges.
- E. Applicant shall comply with the complete terms and conditions of her deferred prosecution agreement in Marathon County case number 20CF1087. Applicant shall immediately report any violation(s) of or changes to Applicant's deferred prosecution agreement to the Department Monitor within forty-eight (48) hours of any such event.

- F. Applicant shall submit self-reports to the Department Monitor on a quarterly basis, as directed by the Department Monitor. The reports shall include:
- i. a summary of Applicant's compliance with the terms and conditions of the Order in the previous quarter,
 - ii. a summary of Applicant's progress and compliance with her deferred prosecution agreement,
 - iii. a summary of Applicant's individual and/or family therapy or counseling explaining what Applicant has learned, including a discussion of how Applicant is putting the knowledge and skills from counseling into practice with Applicant's daily life, and
 - iv. Applicant's current address and home telephone number.
- G. Applicant is responsible for compliance with all of the terms and conditions of this Order, including the timely submission of reports by others. Applicant shall promptly notify the Department Monitor of any suspected violations of any of the terms and conditions of this Order by Applicant.

4. Applicant may petition the Board for full, unrestricted licensure at any time upon submission of proof satisfactory to the Board that Applicant has successfully completed all of the terms of her deferred prosecution agreement in Marathon County case number 20CF1087, and demonstration of complete compliance with the Order. Applicant may also petition the Board for returned to full, unrestricted licensure upon demonstration of continuous, successful compliance the terms of the Order for at least two (2) years, including at least six hundred (600) hours of massage therapy or bodywork therapy practice each year. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

5. Any requests, petitions, reports and other information required by this Order shall be mailed, e-mailed, faxed or delivered 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
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS Monitoring Case management System, here: <https://dpsmonitoring.wi.gov>

6. In the event Applicant violates any term of this Order, Applicant's license, or Applicant's right to renew her license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing. The Board or its designee may terminate the suspension if provided with sufficient information that Applicant is in compliance with the Order and that it is appropriate for the suspension to be terminated. Whether to terminate the suspension shall be wholly in the discretion of the Board or its designee. The Board may, in addition and/or

in the alternative refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

7. Applicant shall be responsible for all costs and expenses incurred in conjunction with the monitoring, screening, supervision, and any other expenses associated with compliance with the terms of this Order. Being dropped from a program for non-payment is a violation of this Order.

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

WISCONSIN MASSAGE THERAPY AND BODYWORK THERAPY AFFILIATED
CREDENTIALING BOARD

By: Gregory Quandt /ALC
A Member of the Board

06/11/2021

Date

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

IN THE MATTER OF APPLICATION FOR
RENEWAL OF A
MASSAGE THERAPIST OR BODYWORK
THERAPIST CREDENTIAL

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STIPULATION

TONYA L. KAROW,
APPLICANT.

ORDER 0007432

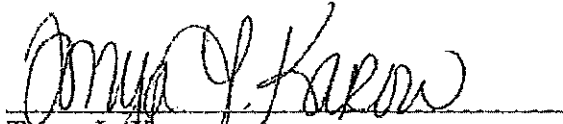
It is stipulated between Applicant and the State of Wisconsin Massage Therapy and Bodywork Therapy Affiliated Credentialing Board (Board) as follows:

1. Applicant filed an application for a Massage Therapist or Bodywork Therapist credential.
2. Information received by the Board reflects a basis for denial of licensure.
3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order granting a Massage Therapist or Bodywork Therapist license, subject to the terms and conditions set forth in the attached Order adopting the Stipulation.
4. Applicant understands that by signing this Stipulation, Applicant voluntarily and knowingly waives the following rights:
 - the right to request a hearing related to the denial of the application;
 - the right to confront and cross-examine the witnesses against Applicant;
 - the right to call witnesses on Applicant's behalf and to compel their attendance by subpoena;
 - the right to testify on Applicant'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 Applicant under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.
5. Applicant is aware of Applicant's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

6. Applicant agrees to the adoption of the attached Order Granting Limited License by the Board. The parties to the Stipulation consent to the entry of the attached Order Granting Limited License without further notice, appearance, or consent of the parties.

7. Applicant waives all rights to any appeal of the Board's Order, as adopted in the form as attached.

8. Applicant is informed that the Order Granting Limited License is a public record and will be published in accordance with standard procedure.



Tonya L. Karow
Kronenwetter, WI 54455-7219
License no. 13859-146



Date

A Member of the Massage Therapy and
Bodywork Therapy Affiliated Credentialing Board
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

Date

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