

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	:	
	:	FINAL DECISION AND ORDER
ORLANDO F. BELISLE, SR., L.M.T.,	:	ORDER NO. 0007271
RESPONDENT.	:	

Division of Legal Services and Compliance Case No. 20 MAB 008

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

Orlando F. Belisle, Sr., L.M.T.
Kenosha, WI 53143

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 Orlando F. Belisle, Sr., L.M.T., (Year of Birth 1985) is licensed in the state of Wisconsin to practice massage therapy and bodywork therapy, having license number 13574-146, first issued on October 6, 2015, and current through February 28, 2021.¹ Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Kenosha, Wisconsin 53143.

¹ Pursuant to Wis. Stat. § 440.08, Respondent maintains the right to apply to renew his license through February 28, 2026.

2. On March 16, 2021, the Board issued Interim Order No. 0007271 suspending Respondent's license to practice massage therapy and bodywork therapy during the pendency of this case.

3. At all times relevant to this proceeding, Respondent practiced as a massage therapist at a chiropractic clinic in the Village of Caledonia, Wisconsin (Clinic).

4. On July 24, 2020, a Village of Caledonia police detective notified the Department that he received a report alleging that Respondent committed a sexual assault at the Clinic on July 15, 2020.

5. On July 15, 2020, Client A, a female who had received approximately 20 prior massages from Respondent, saw Respondent for a massage appointment. Towards the end of the massage, Respondent began to fondle Client A's breasts with both of his hands and said, "this is outside my scope of practice."

6. On August 18, 2020, Respondent was charged with one (1) count of 4th Degree Sexual Assault, a misdemeanor, in violation of Wis. Stat. § 940.225(3m), in Racine County Circuit Court Case No. 2020CM001154 (Racine County Case).

7. On March 22, 2022, Respondent pled guilty and was convicted of one (1) count of Battery and two (2) counts of Disorderly Conduct, both misdemeanors, in violation of Wis. Stat. §§ 940.19(1) and 947.01(1) respectively, in the Racine County Case. Respondent was sentenced to one year of probation for each count and 60 days in jail, stayed. As a condition of his probation, Respondent is not to apply to renew his professional license during the term of his probation.

8. In resolution of this matter, Respondent 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. § 460.14 and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent violated Wis. Stat. § 460.14(2)(b) by being convicted of an offense the circumstances of which substantially relate to the practice of massage therapy or bodywork therapy.

3. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § MTBT 5.02(15) by engaging in sexually explicit conduct, sexual contact, exposure, gratification, or other sexual behavior with or in the presence of a client.

4. By the conduct described in the Findings of Fact, Respondent violated Wis. Admin. Code § MTBT 5.02(26) by being convicted of an offense the circumstances of which substantially related to the practice of massage therapy or bodywork therapy.

5. As a result of the above violations, Respondent is subject to discipline pursuant to Wis. Stat. § 460.14(2)(b), (g), and (j).

ORDER

1. The attached Stipulation is accepted.
2. The VOLUNTARY SURRENDER by Respondent of his license to practice massage therapy and bodywork therapy in the state of Wisconsin (license number 13574-146), as well as his right to renew such license, is accepted.
3. Respondent shall not petition the Board for reinstatement of his license to practice massage therapy and bodywork therapy during the term of his probation as ordered by the Court in the Racine County Case, or for at least three (3) years from the date of this Order, whichever is later. If Respondent petitions for reinstatement, the Board may enter an order denying the petition without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the sole discretion of the Board and such decision is not reviewable.
4. In the event Respondent petitions the Board for reinstatement of his license to practice massage therapy and bodywork therapy in the state of Wisconsin, or applies for another credential in the state of Wisconsin under Wis. Stat. chs. 440 through 480, Respondent shall pay the costs of this matter in the amount of \$1,289.00, before any petition or application for a credential will be considered by the applicable board or Department.
5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted 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) 266-2112; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov

Respondent may also submit this information online at: <https://dspsmonitoring.wi.gov>.

6. 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

5/31/2022

Date

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

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ORLANDO F. BELISLE, SR., L.M.T.,
RESPONDENT.

:
:
:
:
:

STIPULATION
ORDER NO. 0007271

Division of Legal Services and Compliance Case No. 20 MAB 008

Respondent Orlando F. Belisle, Sr., L.M.T., 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. Respondent is represented by Attorney Jillian J. Scheidegger.

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 ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, 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. Respondent is further informed that should the Board adopt this Stipulation, the Board's Final Decision and Order will be reported as required by the National Practitioner Databank (NPDB) Guidebook and as otherwise required by any licensure compact or any other state or federal law.

9. The Division of Legal Services and Compliance joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Orlando F. Belisle, Sr., L.M.T., Respondent
Kenosha, WI 53143
License No. 13574-146

5-5-2

Date



Julian J. Scheidegger, Attorney for Respondent
Cafferty Law Office, S.C.
840 Lake Avenue, Suite 300
Racine, WI 53403

5-5-2

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

5/9/2022

Date