

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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The status of an appeal may be found on court access websites at:

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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF

MICHAEL FECHT,  
RESPONDENT.

ADMINISTRATIVE INJUNCTION

ORDER 0008050

Division of Legal Services and Compliance Case No. 21 UNL 037 (BAP)

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

Michael Fecht  
Portage, WI 53901

Wisconsin Department of Safety and Professional Services  
P.O. Box 8368  
Madison, WI 53708-8368

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 Michael Fecht is not and has never been licensed as a tattooist in the state of Wisconsin.
2. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 419 E. Franklin St., Portage, Wisconsin 53901.
3. On April 29, 2021, the Department received a complaint alleging that Respondent is practicing as an unlicensed tattooist from his home. Complainant alleged that Respondent lied about having a license, and that Complainant received a tattoo from Respondent that caused her

to bleed and not heal properly. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 21 UNL 037 (BAP) for investigation.

4. On May 10, 2021, Respondent responded to the complaint. Respondent admitted to tattooing Complainant without a license, but stated that he had applied for a license.

5. A review of Department records found that Respondent has not submitted an application for a tattooist license.

6. On September 28, 2021, the Department emailed Respondent to request that Respondent provide proof of his application for a tattooist license, or that Respondent apply for a tattooist license. The Department did not receive a response.

7. On October 22, 2021, the Department mailed a letter to Respondent to request that Respondent provide proof of his application for a tattooist license, or that Respondent apply for a tattooist license. The Department did not receive a response.

8. On November 22, 2021, the Department emailed Respondent and mailed a letter to Respondent to request that Respondent provide proof of his application for a tattooist license, or that Respondent apply for a tattooist license. The Department did not receive a response.

#### 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. The conduct described above constitutes the unlicensed practice of tattooing, contrary to Wis. Stat. § 463.10(3).

#### ORDER

1. The attached stipulation is accepted.

2. Unless and until Respondent is properly licensed as a tattooist by the Wisconsin Department of Safety and Professional Services, Respondent is enjoined and prohibited from the practice of tattooing in the state of Wisconsin.

3. Unless and until Respondent is properly licensed as a tattooist by the Wisconsin Department of Safety and Professional Services, Respondent is enjoined and prohibited from using or assuming the title "tattooist" in the state of Wisconsin.

4. Respondent shall provide a copy of this Administrative Injunction with any application submitted by Respondent for a credential issued by the Department.

5. 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 covered by this decision and order to any appropriate prosecutorial unit for review for possible criminal charges.

6. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

By: A. Rohmeyer Date 8/3/2022  
Aloysius Rohmeyer, Chief Legal Counsel  
On behalf of the Department

STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

MICHAEL FECHT,  
RESPONDENT.

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STIPULATION

**ORDER 0008756**

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Division of Legal Services and Compliance Case No. 21 UNL 037 (BAP)

Michael Fecht (Respondent) 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 Department of Safety and Professional Services (Department). 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 Department's Order, 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

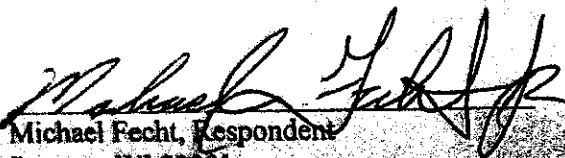
Division of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Department, the parties agree not to contend that the Department has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance may appear before the Department, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on the Stipulation.


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

  
Michael Fecht, Respondent  
Portage, WI 53901

6-17-22  
Date

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

6/24/2022  
Date