# WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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# STATE OF WISCONSIN BEFORE THE COSMETOLOGY EXAMINING BOARD

TED LICENSE
ER GRANTING

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

Katrina Kendhammer Melrose, Wisconsin 54642

Cosmetology Examining Board Department of Safety and Professional Services 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 Cosmetology Examining 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 March 10, 2022, Katrina Kendhammer (DOB 01-20-1994) (Applicant) filed an application for a Cosmetologist credential (#797213).

2. Information on file establishes that Applicant has the following convictions and violation on her record:

- A. On or about July 16, 2014 Possession of Methamphetamine, a felony violation.
- B. On or about April 15, 2015 Possession of Methamphetamine, Second and Subsequent, Repeater, a felony conviction.
- C. On or about May 4, 2022 Operating While Intoxicated, 1st offense, an ordinance violation.

- 3. Information on file establishes the following:
  - A. On or about November 22, 2022, Applicant had a substance use evaluation with a treatment provider (Treater).
    - i. Applicant was found to have Other Stimulant Moderate or Severe Use Disorder (Dependence) in Remission.
    - ii. Applicant was recommended to have individual therapy services.

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

# CONCLUSIONS OF LAW

1. The Wisconsin Cosmetology Examining Board has jurisdiction over this matter pursuant to Wis. Stat. § 454.15(2) and is authorized to enter the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. Pursuant to Wis. Stat. § 454.15(2)(h), the Board may limit the license of any licensee if it finds that the licensee has been addicted to alcohol or other drugs to an extent related to the individual's ability to adequately undertake the job-related responsibilities of that individual's licensure.

3. At this time, due to the recency of Applicant's alcohol-related conviction, Applicant has failed to show competent evidence of sufficient rehabilitation and fitness to practice as a Cosmetologist without limitations.

4. Applicant, by her conduct, is subject to limitations against his credential, pursuant to Wis. Stat. §454.15(2).

### ORDER

1. The attached Stipulation is accepted.

2. Limitations upon Applicant's Cosmetologist credential are necessary to ensure that she is fit and competent to safely practice as a Cosmetologist.

3. Applicant's ability to practice as a Cosmetologist is granted subject to the following LIMITATIONS:

- A. For a period of at least one (1) year from the date of this Order:
  - i. Applicant shall maintain absolute sobriety.
  - ii. Applicant shall follow through with the recommendations made by Treater per the November 22, 2022 substance use evaluation.

- iii. Applicant shall provide a copy of this Order to her current and any future Treater/treatment providers. Applicant shall arrange for written reports from her Treater/treatment providers to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall provide proof of participation in counseling and assess Applicant's progress with treatment for any alcohol or substance dependency issues.
- iv. Applicant shall, at all times, practice as a Cosmetologist under the supervision of a Wisconsin licensed Cosmetologist pre-approved by the Board. Pre-approval of any future cosmetologist-supervisor shall be obtained through correspondence with the Department Monitor.
- v. Applicant shall provide a copy of this Order to her current and any future employer. Applicant shall provide the 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 Monitoring 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.
- vi. Applicant shall arrange for written reports from her cosmetologistsupervisor(s)/employer(s) to be provided to the Department Monitor on a quarterly basis, as directed by the Department Monitor. These reports shall assess Applicant's work performance and describe the circumstances of her employment, including the nature and extent of the Applicant's cosmetology activities and whether she has practiced in compliance with all laws governing the practice of cosmetology.
- vii. Applicant shall report to the Board any change of employment status, residence, address or telephone number within five (5) days of the date of change.
- viii. 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.

4. Applicant may petition the Board for modification of the terms of this Order if she is successfully discharged from treatment in less than one (1) year. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat.  $\S$  227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

After one (1) year of successful compliance with this Order, Applicant may petition 5. the Board for full, unrestricted license. The Board may grant or deny any petition, in its discretion, or may modify this Order as it sees fit.

Any requests, petitions, reports and other information required by this Order shall 6. 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

This information may also be submitted online via DSPS' Monitoring Case Management System at: https://dspsmonitoring.wi.gov

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In the event Applicant violates any term of this Order, Applicant's license, or 7. 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.

Applicant shall be responsible for all costs and expenses incurred in conjunction 8. with the monitoring, 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.

This Order is effective on the date of its signing. 9.

WISCONSIN COSMETOLOGY EXAMINING BOARD

By:

/TLT Member of the Board

12/23/2022

Date

# STATE OF WISCONSIN BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR A COSMETOLOGIST CREDENTIAL	····		· ·	
KATRINA KENDHAMMER, APPLICANT.	:	STIPULATION ORDER 0008316		

It is stipulated between Applicant and the Cosmetology Examining Board (Board) as follows:

1. Applicant filed an application for a Cosmetologist credential #797213.

2. Information received by the Board reflects a basis for denial of the initial application.

3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order granting a limited Cosmetologist credential, 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.

Katrina Kendhammer

Melrose, Wisconsin 54642 Application No. 797213

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A Member of the Wisconsin Cosmetology Examining Board Department of Safety and Professional Services P.O. Box 8935 Madison, WI 53708-8935

<u>12-19-22</u> Date

12/23/2022

Date