WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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• Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at: http://ccap.courts.state.wi.us/InternetCourtAccess and http://www.courts.state.wi.us/wscca

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STATE OF WISCONSIN BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

IN THE MATTER OF DIṢÇIPLINARY PROCEEDINGS AGAINST MICHAEL A. LAPOINTE,		:	: NOTICE OF REVOCATION AND NOTICE OF RIGHT TO REQUEST HEARING	
		:		
	RESPONDENT.		Order: ORDER 00083 45 Case No. 19 BAP 009	
TO:	Michael A. LaPointe 26311 Thoma Road Webster, WI 54893	N P	Attorney Thomas Mulligan, Sr. Mulligan Law Office, LLC PO Box 457 Spooner, WI 54801	

You are hereby notified that your right to renew you tattooist (license number 3385-403) and body piercer (license number 1014-404) credentials is hereby **revoked**. The revocation shall begin on 1/29/2023.

The basis for this revocation is as follows:

The discipline as entered concerning DSPS DLSC Case No. 19 BAP 009.

For tattooing another person and representing yourself as a tattooist without proper licensure, in violation of Wis. Stat. § 463.10(3) and Wis. Admin. Code § SPS 221.04(1)(b); for operating a tattoo and body piercing establishment without proper licensure in violation of Wis. Stat. § 463.10(3) and Wis. Admin. Code § SPS 221.04(1)(a)1; for piercing the body of another person and representing yourself as a body piercer without proper licensure, in violation of Wis. Stat. § 463.12(3) and Wis. Admin. Code § SPS 221.04(1)(b); by body piercing a person under 16 years of age in violation of Wis. Admin. Code § SPS 221.10(1)(b)1; and by tattooing a person under 18 years of age, in violation of Wis. Admin. Code § SPS 221.10(1)(b)3.

Complaints were filed against you alleging that you tattooed a male customer and gave a body piercing to a 13-year-old female while having expired licenses. An investigation was opened, and while we were investigating that complaint, a second complaint was received alleging that you tattooed two minors.

As laid out above, these actions are violations of Wisconsin Statute and Code and can subject your credentials to a revocation.

The Department allowed you an opportunity to respond. You responded to the first allegation admitting that you gave a body piercing to a 13-year-old girl and stating that you have been tattooing since you were 13 years old and were never aware a license was needed until the day you applied for one. Another response was requested following the receipt of the second complaint, but you failed to respond to multiple attempts at contact. Failure to respond to a request from the Department is a violation of Wis. Stat. § 440.20(5)(a).

Therefore, based on the foregoing, the Department finds that a revocation is appropriate and is entered pursuant to Wis. Admin. Code § SPS 221.07 and the terms laid out in this document.

Pursuant to Wis. Admin. Code § SPS 221.08, you have the right to request a hearing on the revocation by sending a request for hearing to the Department of Administration Division of Hearings and Appeals, 4822 Madison Yards Way, 5th Floor North, Madison, Wisconsin 53705, which must be received by the Division no later than 15 days from the date of mailing of this Notice. The request for a hearing on the revocation shall set out specifically and in full detail every reason why this order is unreasonable, and every issue to be considered by the department on the hearing. Anything not addressed in the request shall be deemed waived. Any hearing on the revocation will be held in accordance with the requirements set forth in Wis. Stat. ch. 227.

Dated at Madison, Wisconsin on 1/13/2023.

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Al Rohmeyer Chief Legal Counsel, Department of Safety and Professional Services