

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
	:	OF DEFAULT
KATELYN E. SOREY,	:	
RESPONDENT.	:	ORDER 0008443

Division of Legal Services and Compliance Case Number 21 BAC 040

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

Katelyn E. Sorey
Birchwood, WI 54817

Wisconsin Cosmetology Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

PROCEDURAL HISTORY

This matter comes before the Wisconsin Cosmetology Examining Board (Board) as a citation to which Respondent has made no timely response. Based on the record in this case, the Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Katelyn E. Sorey (Birth Year 1992) is licensed in the state of Wisconsin as a cosmetologist, having credential number 93726-82, first issued on February 6, 2012 and current through March 31, 2023. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Birchwood, Wisconsin 54817.

2. On August 12, 2021, the Department received a complaint alleging that Respondent was performing aesthetics services at Enliven Medspa, an unlicensed facility. The Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 21 BAC 040 for investigation.

3. On September 9, 2021, the Department emailed Respondent to request a list of services she provides at Enliven Medspa, and to request that she obtain an establishment license for the facility.

4. On September 21, 2021, Respondent stated that she started working at Enliven Medspa in August of 2020 and currently provides eye lash extensions, lash lifts, dermaplaning, microneedling, and radio frequency treatments. Respondent stated that she originally offered more services, but upon discovering that the facility did not have an establishment license, she stopped performing all services that fell under her cosmetology license. Respondent stated that she would submit an application for an establishment license.

5. On December 21, 2021, a cosmetology establishment license (Booth/Chair) (No. 48581-80) was issued for Enliven Medspa. Respondent is listed as the responsible licensee for the establishment.

6. On September 27, 2022, the Department issued a citation to Respondent for violating Wis. Stat. § 454.08(1)(b). Service was accomplished by email. No response was received.

7. On October 19, 2022, the Department emailed Respondent another copy of the citation. No response was received.

8. On November 4, 2022, the Department emailed Respondent another copy of the citation, and contacted Respondent by phone. Respondent requested a revision to the citation, and requested a payment plan that would allow for the citation to be paid over a longer timeframe.

9. On December 15, 2022, the Department emailed Respondent the revised citation with the requested payment plan. No response was received. A true and correct copy of this citation and payment plan is attached as Exhibit A and is incorporated herein by reference.

10. On January 5, 2023, the Department emailed Respondent another copy of the revised citation and payment plan. No response was received.

11. Respondent has not paid the citation, which was originally issued to Respondent on September 27, 2022.

CONCLUSIONS OF LAW

1. The Wisconsin Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. Respondent violated Wis. Stat. § 454.08(1)(b) by practicing aesthetics in an establishment that was not licensed to provide that practice.

3. As a result, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and (3).

4. Respondent is in default pursuant to Wis. Admin. Code § Cos 10.07(1) for failing to make a deposit or otherwise respond to the citation in a timely fashion.

5. Pursuant to Wis. Admin. Code § Cos 10.07(1), the Board has the authority to issue an order of default against Respondent for the amount identified in the citation without further proceedings.

ORDER

1. Respondent is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$500 within thirty (30) days from the date of this Order.

2. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and sent 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

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

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a refusal to renew a credential or additional disciplinary action.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by: Megan Jackson
A Member of the Board

3/27/2023
Date

Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 7190
Madison, WI 53707-7190
FAX #: (608) 266-2264
Phone #: (608) 266-2112

4822 Madison Yards Way
Madison, WI 53705
E-Mail: dsps@wisconsin.gov
Website: http://dsps.wi.gov

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # <u>21 BAC 040</u>		FINAL DECISION AND ORDER
Katelyn Sorey		ORDER # _____
<input checked="" type="checkbox"/> Individual Credential Holder Name	<input type="checkbox"/> Establishment Name	
License # <u>93726-82</u>	License # _____	

<u>1035 N. Main Street, Suite 2SE</u>	<u>Rice Lake</u>	<u>54868</u>
Street	City	Zip
<u>Friday</u>	<u>Nov 4, 2022</u>	
Day of Week	Date	Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Katelyn Sorey provided aesthetics services outside a licensed establishment from May 2021 to September 21, 2021.

In violation of Section 454.08(1)(b) of ☒ Wis. Stats. **OR** ☐ Wis. Adm. Code
[Signature] Investigator 12/15/2022
Signature of Division Investigative Staff Title Date

Signature of ☐ Licensee **OR** ☐ Establishment Owner Date

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

PLEASE TAKE NOTICE THAT THE CREDENTIAL HOLDER MAY DEPOSIT A FORFEITURE IN THE AMOUNT OF \$ 500.00 BY MAILING A CHECK OR MONEY ORDER NO LATER THAN TWENTY (20) DAYS FROM THE DATE OF THIS CITATION, TOGETHER WITH THE SIGNED COPY OF THIS FORM TO: DEPARTMENT OF SAFETY & PROFESSIONAL SERVICES, DIVISION OF LEGAL SERVICES & COMPLIANCE, PO BOX 7190, MADISON, WI 53707-7190. IF THIS CITATION IS ISSUED TO BOTH AN INDIVIDUAL CREDENTIAL HOLDER AND AN ESTABLISHMENT, ONE HALF OF THE FORFEITURE IS DEEMED TO BE ASSESSED AGAINST EACH CREDENTIAL. PAYMENT SHALL BE TREATED AS A PLEA OF NO CONTEST TO THE VIOLATION CITED ABOVE AND CONSENT TO AN ORDER OF FORFEITURE, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

Please reference "NOTICE OF RIGHT TO CONTEST" on reverse side of this form.

A Member of the Board

Date

#3053DLSC (02/20)
Ch.454, Stats.

Citation 1 of 1

**Wisconsin Department of Safety and Professional Services
Division of Legal Services and Compliance**

NOTICE OF RIGHT TO CONTEST

FURTHER NOTICE that within twenty (20) days of the date of service of this citation, the licensee may enter a plea contesting the violation cited and request a hearing on the alleged violation. Submission of a plea contesting violations and requesting a hearing shall be in writing and submitted to the Department of Safety and Professional Services, Division of Legal Services and Compliance, P.O. Box 7190, Madison, WI 53707-7190.

IF THE CREDENTIAL HOLDER DOES NOT MAKE A DEPOSIT OR OTHERWISE RESPOND TO THE CITATION IN A TIMELY FASHION, THE DISCIPLINARY AUTHORITY MAY WITHOUT FURTHER PROCEEDINGS ISSUE AN ORDER OF DEFAULT AGAINST THE CREDENTIAL HOLDER. A DEFAULT ORDER ISSUED UNDER THIS SECTION MAY IMPOSE A FORFEITURE, NOT TO EXCEED THE AMOUNT IDENTIFIED ON THE CITATION. VIOLATION OF AN ORDER ISSUED PURSUANT TO THIS SECTION MAY RESULT IN A REFUSAL TO RENEW CREDENTIAL OR ADDITIONAL DISCIPLINARY ACTION.

If the credential holder requests a hearing but fails to appear at the hearing at the time fixed therefor, the credential holder is in default and the disciplinary authority may make findings and enter an order on the basis of the citation.

Wisconsin Department of Safety and Professional Services
Division of Legal Services & Compliance
4822 Madison Yards Way
PO Box 7190
Madison WI 53707-7190
RETURN SERVICE REQUESTED



Phone: 608-266-2112
Web: <http://dsps.wi.gov>
Email: dsps@wisconsin.gov

Tony Evers, Governor
Dan Hereth, Secretary

December 15, 2022

KATELYN SOREY

BIRCHWOOD, WI 54817

RE: CASE NO. 21 BAC 040

**ADDENDUM TO CITATION FOR ADMINISTRATIVE FORFEITURE -
PAYMENT PLAN**

Dear Ms. Sorey:

You have received one or more citations for violations of the Cosmetology rules and have requested the opportunity to enter into a payment agreement to resolve those citations. By returning an original signed copy of this letter along with partial payment, you accept the forfeitures imposed on the citations you received and agree to pay the forfeiture amounts in full. To enter into this agreement and to accept the payment plan below:

- You must sign and date this document below and return to Investigator Dehnke at the address listed above.
- You must also include a partial payment of 25% of the total amount due on the citation(s) when returning this document. 25% of \$500 is \$125.
- **You must return a copy of the signed and dated citation(s) with this document.**
- Subsequent payments of \$125 are due every 30 days following the date of the previous payment due date until the full amount has been paid and **must be sent to the Department Monitor at the address above. In order to assure each payment is credited properly, all payments must reference the case number, 21 BAC 040, somewhere on the check.**
- You agree that if you fail to timely submit payment of the forfeiture as set forth above, your license may, in the discretion of the board or its designee, be **SUSPENDED**, without further notice or hearing, until you have complied with payment of the forfeiture(s).

I hereby accept the forfeitures imposed by the attached citations and the terms set forth above.

Signature of Licensee or Establishment Owner

Date

So Ordered:

A Member of the Cosmetology
Examining Board, or Designee

Date