

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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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/wscga>

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STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR	:	
RENEWAL OF	:	
AESTHETICIAN CREDENTIAL	:	ORDER GRANTING
	:	LIMITED LICENSE
SARAH HOCKING,	:	
APPLICANT.	:	

ORDER 0008831

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

Sarah Hocking
Sheboygan Falls WI 53085

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 29, 2023, Sarah Hocking (DOB 07-07-1982) (Applicant) filed an application to renew her Aesthetician credential (#3062-86).
2. Information on file establishes that Applicant has the following conviction on her record:
 - A. On or about June 14, 2022 – OWI 2nd, Alcohol Fine Enhancer, a misdemeanor violation.
 - i. According to the Criminal Complaint, on November 18, 2021, Applicant drove her vehicle into a ditch. Officers found Applicant to be uneasy on her feet and slightly stumbling, with a strong odor of intoxicants coming from her breath. Applicant also had blood shot eyes. Applicant told police that she was attempting to turn into a driveway, but turned too soon and went into the ditch. Applicant admitted to having too much to drink. Applicant exhibited further signs of intoxication during field sobriety tests and was arrested for OWI 2nd. Applicant had a prior OWI in 2014.

3. Further information on file establishes the following:
 - A. According to documentation from the Wisconsin Department of Transportation, Applicant completed an AODA assessment on May 11, 2022. The AODA assessment documented the following:
 - i. Applicant had a .244 blood alcohol concentration (BAC) during the OWI 2nd incident.
 - ii. Applicant was diagnosed with alcohol dependency.
 - iii. Applicant was recommended to complete one (1) to twelve (12) months of outpatient treatment.
 - B. According to a letter from Applicant's treatment provider dated September 11, 2023, Applicant was discharged from previous group treatment twice - on April 20, 2022 and October 25, 2022 - due to lack of attendance.
 - i. According to Applicant's personal statement, she acknowledges not completing treatment once, stating: "I began 12 weeks of classes, and the 9th week, there was an issue with the interlock and my battery that prevented me from finishing my meetings in December."
 - ii. As of the date of the letter, Applicant was enrolled again in group, and due to attend her sixth session that week.

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 440.08(4) 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. Pursuant to Wis. Stat. § 440.08(4), the Board may deny an application for renewal if it is necessary to protect the public health, safety or welfare.

4. At this time, due to Applicant's diagnosis of alcohol dependency and failure to complete the treatment recommended by the AODA assessment, limitations on Applicant's Aesthetician credential are necessary to protect the public health, safety and welfare.

5. Applicant, by her conduct, is subject to limitations against her credential, pursuant to Wis. Stat. §§ 454.15(2) and 440.08(4).

ORDER

1. The attached Stipulation is accepted.
2. Limitations upon Applicant's Aesthetician credential are necessary to ensure public health, safety and welfare.
3. Applicant's ability to practice as an Aesthetician is granted subject to the following LIMITATIONS:
 - A. For a period of at least two (2) years from the date of this Order:
 - i. Applicant shall maintain absolute sobriety from alcohol and controlled substances not prescribed to Applicant.
 - ii. Applicant shall continue with group treatment and comply with all recommendations, until successfully discharged. Upon discharge, Applicant shall provide proof to the Department Monitor.
 - iii. Applicant shall, at all times, practice as an Aesthetician under the supervision of a Wisconsin licensed Cosmetologist/Aesthetician pre-approved by the Board. Pre-approval of any future cosmetologist/aesthetician-supervisor shall be obtained through correspondence with the Department Monitor.
 - iv. 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 Monitor 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.
 - v. Applicant shall arrange for written reports from her cosmetologist/aesthetician-supervisor(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 aesthetician activities and whether she has practiced in compliance with all laws governing the practice of aesthetics.

- vi. 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.
- vii. 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. After two (2) years of successful compliance with this Order, Applicant may petition 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. Denial of a petition in whole or in part shall not be considered a denial of a license within the meaning of Wis. Stat. § 227.01(3)(a), and Applicant shall not have a right to any further hearings or proceedings on the denial.

5. Any requests, petitions, reports and other information required by this Order shall 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)-266-2122;
DSPSMonitoring@wisconsin.gov

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

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

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

By:  / TLT
A Member of the Board

10/27/2023
Date

STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF APPLICATION FOR
RENEWAL OF
AESTHETICIAN CREDENTIAL

SARAH HOCKING,
APPLICANT.

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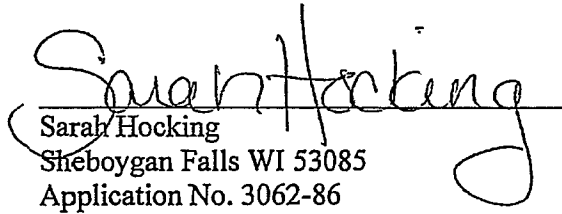
STIPULATION
ORDER 0008831

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

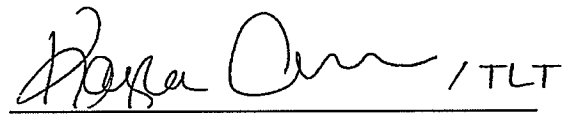
1. Applicant filed an application to renew an Aesthetician credential #3062-86.
2. Information received by the Board reflects a basis for denial of the renewal application.
3. Based upon the information of record, the Board agrees to issue, and Applicant agrees to accept, an Order granting renewal of a limited Aesthetician 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.


Sarah Hocking
Sheboygan Falls WI 53085
Application No. 3062-86

10/22/23
Date


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

10/27/2023
Date