

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

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IN THE MATTER OF

RHIANNON RICE,  
RESPONDENT.

:  
:  
: ADMINISTRATIVE INJUNCTION  
:  
: 0003133

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Division of Legal Services and Compliance Case No. 13 UNL 052

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

Rhiannon Rice  
1855 N. Cambridge Ave., Apt. 208  
Milwaukee, WI 53202

Wisconsin Department of Safety and Professional Services  
P.O. Box 8935  
Madison, WI 53708-8935

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 Rhiannon Rice (dob July 25, 1981) is not now and never has been licensed in the State of Wisconsin practice massage therapy or bodywork therapy. Respondent's most recent address on file with the Department is 1855 North Cambridge Avenue, Apartment 208, Milwaukee, Wisconsin 53202.

2. On or about April 19, 2013, Respondent performed massage therapy while working as an aesthetician at East Town Spa, Inc. in Milwaukee, Wisconsin.

3. Respondent manipulated customers' backs, hands, arms, and scalps to perform scalp, trapezius, décolleté, back, hand, and arm massages. The massages lasted thirty minutes or longer.

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

#### 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. Wis. Stat. § 460.01(4) defines massage therapy or bodywork therapy as the science and healing art that uses manual actions and adjunctive therapies to manipulate the soft tissue of the human body in order to improve circulation, reduce tension, relieve soft tissue pain, or increase flexibility.

3. The conduct described above constitutes the unlicensed practice of massage or bodywork therapy in violation of Wis. Stat. § 460.02.

#### ORDER

1. The attached stipulation is accepted.

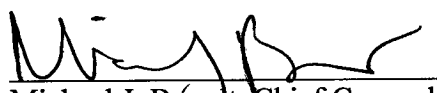
2. Unless and until Respondent is properly licensed as a massage therapist or bodywork therapist by the Department, Respondent is enjoined and prohibited from the practice of massage therapy or bodywork therapy in the State of Wisconsin. Violation of this special order may result in a forfeiture of up to \$10,000 for each day of violation. See Wis. Stat. § 440.21(4)(a).

3. 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.

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Issued at Madison, Wisconsin, this 3rd day of April, 2014.

By:

  
Michael J. Berndt, Chief 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  
  
RHIANNON RICE,  
RESPONDENT.

:  
:  
:  
:

STIPULATION

0003133

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Division of Legal Services and Compliance Case No. 13 UNL 052

Respondent Rhiannon Rice, 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 Administrative Injunction by  
the Department. The parties to the Stipulation consent to the entry of the attached  
Administrative Injunction without further notice, pleading, appearance or consent of the parties.  
Respondent waives all rights to any appeal of the Department's Administrative Injunction, if  
adopted in the form as attached.

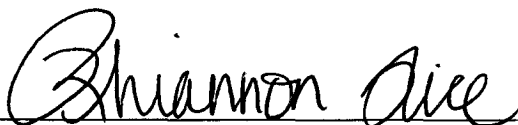
5. If the terms of this Stipulation are not acceptable to the Department, the parties  
shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the  
Division of Legal Services and Compliance for further proceedings. In the event that the

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 for the Department of Safety and Professional Services may appear before the Department for the purposes of speaking in support of this agreement and answering questions that the Department may have in connection with deliberations on this Stipulation.

7. Respondent is informed that should the Department adopt this Stipulation; the Department's Administrative Injunction is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Department adopt this Stipulation and issue the attached Administrative Injunction.



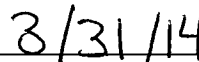
Rhannon Rice, Respondent  
1855 N. Cambridge Ave., Apt. 208  
Milwaukee, WI 53202



Date



Andrea E. Brauer, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190



Date