

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

RHONDA L. PACE, L.P.N.,  
RESPONDENT.

:  
:  
: FINAL DECISION AND ORDER

:  
:  
**ORDER 0007427**

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Division of Legal Services and Compliance Case No. 19 NUR 753

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

Rhonda L. Pace, L.P.N.  
River Falls, WI 54022

Wisconsin Board of Nursing  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
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 Board of Nursing (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Rhonda L. Pace, L.P.N., (DOB xx/xx/1976) is licensed in the state of Wisconsin as a practical nurse, having license number 306460-31, first issued on August 18, 2005, current through April 30, 2021, and suspended as of September 17, 2019. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is located in River Falls, Wisconsin.

2. On September 17, 2019, the Board issued Final Decision and Order #0006420 (Order) against Respondent to resolve Division of Legal Services and Compliance (DLSC) case numbers 17 NUR 655 and 18 NUR 244.

3. The Order was issued by default judgment after Respondent failed to file an Answer to the Department's Complaint alleging facts and violations in DLSC case numbers 17 NUR 655 and 18 NUR 244.

4. Respondent denies receiving the Department's inquiries before the Complaint was filed and denies receiving the Complaint itself. Respondent acknowledges that her mother signed a Certified Mail receipt for the Complaint but states she did not give it to Respondent and may have inadvertently burned it in the family's wood stove.

5. By virtue of the default judgment, the following facts related to DLSC case number 17 NUR 655 were deemed admitted: Respondent's Minnesota nursing license was suspended for one year because a drug test was positive for morphine and hydromorphone, and Respondent failed to cooperate with the DLSC investigation thereof.

6. By virtue of the default judgment, the following facts related to DLSC case number 18 NUR 244 were deemed admitted: Respondent diverted diazepam at work and failed to cooperate with the DLSC investigation thereof.

7. The Order indefinitely suspends Respondent's Wisconsin practical nursing license and her privilege to practice in Wisconsin under another state license pursuant to the Enhanced Nurse-Licensure Compact.

8. The Order allows Respondent to petition for a stay of suspension upon satisfying various conditions related to alcohol and other drug abuse treatment and monitoring, as well as practice restrictions.

9. Respondent has not petitioned for a stay of suspension and has provided no information showing compliance with the Order conditions.

10. On December 23, 2019, DLSC received a complaint from a residential care facility stating that Respondent was working there as a practical nurse while her license was suspended. The facility learned of the suspension on December 13, 2019, by way of a newsletter.

11. Facility management confronted Respondent about the suspension and she claimed to be unaware. The facility terminated Respondent's employment and escorted her out of the building. A subsequent investigation led the facility to conclude it could "reasonably substantiate" that Respondent diverted controlled substances while working there.

12. Respondent denies the alleged diversion of controlled substances and denies knowingly working with a suspended license, but to resolve this matter she consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Rhonda L. Pace, L.P.N., violated Wis. Admin. Code § N 7.03(1)(d), by practicing without an active license.

3. By the conduct described in the Findings of Fact, Rhonda L. Pace, L.P.N., violated Wis. Admin. Code § N 7.03(8)(e), by obtaining, possessing or attempting to obtain or possess a drug without lawful authority.

4. As a result of the above conduct, Rhonda L. Pace, L.P.N., is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d).

ORDER

1. The attached Stipulation is accepted.


2. The SURRENDER of the license and privilege of Rhonda L. Pace, L.P.N., (license no. 306460-31) to practice practical nursing in the state of Wisconsin or under another state license pursuant to the Enhanced Nurse Licensure Compact is hereby accepted.

3. In the event Respondent petitions the Board of Nursing for reinstatement as a nurse in the future, the Board may enter an order denying such application without further notice or hearing. Whether to grant a license and whether to impose any limitations or restrictions on any license granted shall be in the discretion of the Board.

4. In the event Respondent petitions the Board for reinstatement of her license to practice practical nursing in the state of Wisconsin or applies for another credential with the Department, Respondent shall pay the costs of this matter in the amount of \$340.00 before any application is considered.

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

WISCONSIN BOARD OF NURSING

By:   
A Member of the Board

10 June 2021  
Date

STATE OF WISCONSIN  
BEFORE THE BOARD OF NURSING

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

RHONDA L. PACE, L.P.N.,  
RESPONDENT.

STIPULATION  
**ORDER 0007427**

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Division of Legal Services and Compliance Case No. 19 NUR 753

Respondent Rhonda L. Pace, L.P.N., 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. Respondent is represented by Attorney Stacie H. Rosenzweig.


4. Respondent agrees to the adoption of the attached Final Decision and Order by the Wisconsin Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board 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 or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's Final Decision and Order 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 Board adopt this Stipulation and issue the attached Final Decision and Order.

  
Rhonda L. Pace, L.P.N., Respondent  
River Falls, WI 54022  
License No. 306460-31

5/18/2021  
Date

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Stacie H. Rosenzweig, Attorney for Respondent  
Halling & Cayo, S.C.  
320 East Buffalo Street, Suite 700  
Milwaukee, WI 53202

\_\_\_\_\_  
Date

  
Joost Kap, Prosecuting Attorney  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison WI 53707-7190

5/25/2021  
Date