

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAVID W. KOSOSKI, R.N.,
RESPONDENT.

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INTERIM ORDER

ORDER 0007248

Division of Legal Services and Compliance
Case Nos. 19 NUR 679, 20 NUR 033, and 20 NUR 283

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

David W. Kososki, R.N.
Waukesha, WI 53186

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 agree to the terms and conditions of the attached Stipulation as an Interim Order in these matters, subject to the approval of the 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, Conclusion of Law, and Order.

FINDINGS OF FACT

1. David W. Kososki, R.N. (Respondent), (Year of Birth 1979) is licensed in the state of Wisconsin to practice as a registered nurse with multistate privileges pursuant to the Enhanced Nurse Licensure Compact, having license number 173100-30, first issued on June 9, 2010, and current through February 28, 2022. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Waukesha, Wisconsin 53186.

2. At all times relevant to these proceedings, Respondent was employed as a registered nurse at multiple health care facilities in Wisconsin (Facilities).

3. In November 2019, January 2020, and June 2020, the Department's Division of Legal Services and Compliance received complaints from the Facilities alleging that Respondent diverted controlled substances from the Facilities for personal use, repeatedly performed improper administration and wasting of controlled substances, obtained and ingested steroids without a prescription, stole saline syringes, was impaired at work, and/or failed reasonable suspicion drug tests.

4. As of the date of this Order, the Board has not made a determination as to whether Respondent violated any statutes or rules related to his practice as a registered nurse.

5. Respondent has voluntarily agreed not to practice as a registered nurse in the state of Wisconsin, or in any other state pursuant to his multistate privileges, pending the investigation and final resolution of these disciplinary matters.

CONCLUSION OF LAW

1. The Wisconsin Board of Nursing has jurisdiction to act in this matter pursuant to Wis. Stat. § 441.07, and has authority to enter into this stipulation for an Interim Order pursuant to Wis. Stat. § 227.44(5).

ORDER

1. The attached Stipulation is accepted.

2. Respondent's license to practice as a registered nurse in the state of Wisconsin (license no. 173100-30) is **SUSPENDED** as of the date of this Order.

3. The suspension shall continue until the Board issues a Final Decision and Order in these disciplinary matters.

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

WISCONSIN BOARD OF NURSING

By:



A Member of the Board

11 March 2021

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

DAVID W. KOSOSKI, R.N.,
RESPONDENT.

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STIPULATION
FOR INTERIM ORDER

ORDER 0007248


Division of Legal Services and Compliance
Case Nos. 19 NUR 679, 20 NUR 033, and 20 NUR 283

Respondent David W. Kososki, R.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.
2. 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 Kristen N. Nelson.
3. Respondent neither admits nor denies the allegations in these matters, but agrees to the adoption of the attached Interim Order by the Board of Nursing (Board). The parties to the Stipulation consent to the entry of the attached Interim 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.
4. 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 be returned to the Division of Legal Services and Compliance for further proceedings. In the event that this 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.
5. 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 a case advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondent or Respondent's attorney, if any, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such case advisor may vote on whether the Board should accept this Stipulation and issue the attached Interim Order.

6. Respondent is informed that should the Board adopt this Stipulation, the Board's Interim Order is a public record and will be published in accordance with standard Department procedure.

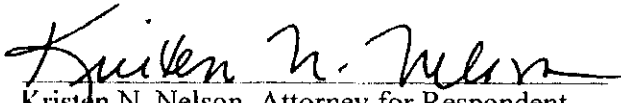
7. The Division of Legal Services and Compliance joins Respondent in recommending that the Board adopt this Stipulation and issue the attached Interim Order.



David W. Kososki, R.N., Respondent
Waukesha, WI 53186
License No. 173100-30

2.24.2021


Date



Kristen N. Nelson, Attorney for Respondent
Gimbel, Reilly, Guerin & Brown, LLP
330 East Kilbourn Ave, Suite 1170
Milwaukee, WI 53202

2/24/21

Date



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

2/24/2021

Date