

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

PATRICK E. VAN OSS, R.N.,
RESPONDENT.

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:
:

FINAL DECISION AND ORDER

ORDER 0007882

Division of Legal Services and Compliance Case No. 21 NUR 642

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

Patrick E. Van Oss, R.N.
Minneapolis, MN 55403

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 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 Patrick E. Van Oss, R.N., (Year of Birth 1987) is licensed in the state of Wisconsin as a registered nurse with multistate privileges pursuant to the Enhanced Nurse Licensure Compact (Compact), having license number 237793-30, first issued on September 8, 2017, and current through February 29, 2024. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is in Minneapolis, Minnesota 55403.

2. Respondent is also licensed as a registered nurse in Illinois and Minnesota.

3. As of November 2021, Respondent worked as a contract nurse at a mental health care facility in Illinois.

4. On February 21, 2018, Respondent in Chippewa County Case Number 2017CM000563, plead no contest and was convicted of one count of disorderly conduct in violation of Wis. Stat. § 947.01(1), an ordinance violation. The incident resulted from Respondent's alcohol intoxication.

5. On September 9, 2019, Respondent self-reported to the Minnesota Health Professionals Services Program (HPSP) for monitoring of his substance use disorder and enrolled in the HPSP on September 30, 2019. Respondent has a history of alcohol abuse in which he used alcohol to manage anxiety and depression symptoms over the last twelve years.

6. On November 4, 2019, the Minnesota Board of Nursing (Minnesota Board) granted Respondent a license to practice nursing.

7. On June 8, 2020, Respondent submitted a urine drug screen that tested positive for codeine and morphine.

8. On July 10, 2020, Respondent completed an updated substance use assessment in which he disclosed six previous detoxifications for alcohol, participation in two previous treatment programs, and admission that his alcohol use negatively impacted his employment.

9. On July 13, 2020, Respondent was unsatisfactorily discharged from HPSP for noncompliance with the monitoring requirements of his HPSP Participation Agreement.

10. June 7, 2021, Respondent and his attorney met with the Minnesota Review Panel. Respondent reported that he resigned his most recent nursing employment in March of 2021 due to a relapse, his most recent relapse was in May 2021, he is enrolled in outpatient treatment and sees a counselor for individual and group therapy, and he takes medication for depression and anxiety.

11. On October 7, 2021, the Minnesota Board issued a Stipulation and Consent Order suspending Respondent's license, but also providing for an immediate stay of the suspension as long as Respondent enrolled in and complied with all the terms and conditions of the HPSP (Minnesota Order).

12. On October 31, 2021, Respondent enrolled in HPSP.

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

CONCLUSIONS OF LAW

1. The Board 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, Respondent had a license to practice nursing suspended or otherwise disciplined in another state within the meaning of Wis. Admin. Code § N 7.03(1)(b).

3. By the conduct described in the Findings of Fact, Respondent was unable to practice safely by reason of alcohol or other substance use pursuant to Wis. Admin. Code § N 7.03(6)(f).

4. By the conduct described in the Findings of Fact, Respondent was unable to practice safely by reason of psychological impairment or mental disorder pursuant to Wis. Admin. Code § N 7.03(6)(g).

5. A nurse who possesses a multistate license from Wisconsin is ineligible to retain or renew the multistate license if the nurse is currently enrolled in an alternative program pursuant to Wis. Stat. § 441.51(3)(c)9. "Alternative program" means a nondisciplinary monitoring program approved by a licensing board pursuant to Wis. Stat. § 441.51(2)(b).

6. By the conduct described in the Findings of Fact, Respondent is ineligible to retain or renew his Wisconsin multistate license to practice nursing, pursuant to Wis. Stat. §§ 441.51(3)(c)9. and 441.51(3)(g).

7. As a result of the above conduct, Respondent is subject to discipline pursuant to Wis. Stat. § 441.07(1g)(b) and (d), and Wis. Admin. Code § N 7.03.

ORDER

1. The attached Stipulation is accepted.

2. Respondent's multistate license is deactivated; Respondent retains a single-state registered nurse license to practice nursing in Wisconsin, along with the right to apply for renewal of the single-state registered nurse license, subject to the terms below.

3. The single-state registered nurse license issued to Respondent (license number 237793-30), is LIMITED as follows:

- a. Within 30 days of this Order, Respondent shall provide the Board a copy of Respondent's current HPSP Participation Agreement.
- b. Respondent shall comply with all the terms and conditions of the Minnesota Order and the HPSP Participation Agreement.
- c. Respondent is to maintain full and complete compliance with all terms, limitations, and conditions imposed against his nursing license by the MN Board and HPSP Participation Agreement.
- d. Any violation as determined by the MN Board, or discharge from the HPSP Participation Agreement, is a violation under this Order. Respondent shall report to the Board any violation as determined by the MN Board or discharge from the HPSP Participation Agreement within forty-eight (48) hours of the violation or discharge.

- e. Respondent shall provide the Board with a copy of any document issued by the MN Board or HPSP which alters the conditions of his license to practice nursing in Minnesota, including any document advising the full reinstatement of his Minnesota license.
 - f. This limitation shall be removed from Respondent's license after satisfying the Board or its designee that Respondent has successfully completed all the terms and conditions of the Minnesota Order and the Minnesota Board has returned Respondent's Minnesota license to full, restricted status.
4. Within ninety (90) days from the date of this Order, Respondent shall pay COSTS of this matter in the amount of \$763.00.
5. Any requests, petitions, payments of costs (made payable to Department of Safety and Professional Services), and other information required by this Order shall be submitted 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

Respondent may also submit this information online at: <https://dpsmonitoring.wi.gov>.

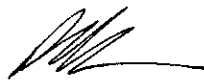
6. Should Respondent successfully complete the terms and conditions of the MN Order and the HPSP Participation Agreement, Respondent may reapply for a multistate license to practice as a registered nurse in Wisconsin.

7. In the event Respondent violates any term of this Order, Respondent's license (237793-30), or Respondent's right to apply for renewal of his license, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of the Order. 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.

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

WISCONSIN BOARD OF NURSING

By:


A Member of the Board of Nursing

3/10/2022

Date

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

PATRICK E. VAN OSS, R.N.,
RESPONDENT.

STIPULATION

ORDER 0007882

Division of Legal Services and Compliance Case No. 21 NUR 642

Respondent Patrick E. Van Oss, 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. 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 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.

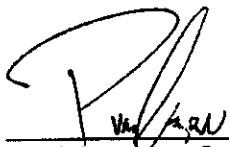
5. If the terms of this Stipulation are not acceptable to the Board the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

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.



Patrick E. Van Oss, R.N., Respondent
Minneapolis, MN 55403
License No. 237793-30

02-11-2022
Date



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

2/14/2022
Date