

***GUIDELINES
FOR
CONTINUING EDUCATION
PROVIDERS***

PUBLISHED BY:

**KENTUCKY BOARD OF NURSING
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Preface

The purpose of this document is to provide information about the Kentucky Board of Nursing's standards, criteria, policies, guidelines, nursing laws, and regulations for mandatory continuing education/competency for nurses in Kentucky.

When the term "Board" is used, it refers to the Kentucky Board of Nursing.

When the term "Continuing Education" appears, the reference is to mandatory continuing education for nurses.

Each section of this document contains standards to be met, forms, and copies of relevant Kentucky administrative regulations.

All forms may be duplicated or downloaded from the KBN website at <http://kbn.ky.gov>.

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CONTINUING EDUCATION IN KENTUCKY

History:

To assure the public that each nurse licensed in the Commonwealth of Kentucky has reasonably current knowledge of the nursing science and skills needed to provide for the health and safety of persons receiving nursing care, the 1978 General Assembly enacted a continuing education requirement for licensure renewal that became effective in 1982.

Purpose:

As stated in the *Kentucky Nursing Laws* (KRS 314), the purpose of mandatory continuing education is to require evidence of the nurse's efforts to update his/her knowledge of nursing science and to maintain or develop new nursing skills.

Therefore, any approval granted to a continuing education provider shall be based upon evidence of the ability to plan learning activities that present current nursing content that supports competent judgments and decisions in nursing practice, nursing administration, nursing education, and/or nursing research relevant to the performance of those acts for which nurses are licensed. Content classified as "continuing education" extends beyond the nurse's knowledge from his/her basic prelicensure program.

Using the term "CEU" vs "Contact Hour":

Continuing education is awarded for courses based on that course having specific learning objectives, a structured outline, and qualified faculty. The accrediting body dedicates the unit of measurement or amount of "credit" awarded for successful completion of the requirements of the continuing education.

For years there has been great confusion between the uses of the terms "CEU" and "Contact Hour." Contact hours refer to the stated amount of time an individual was present during a course. One **contact hour** is equivalent to 50 minutes of clock time.

Continuing Education Unit (CEU) is the term used as the unit of measurement by colleges and universities to designate 10 contact hours. **The terms contact hour and CEU cannot be used interchangeably.** You can see that while one CEU is equivalent to 10 contact hours, 10 contact hours **does NOT** equal one CEU.

Kentucky and most nursing continuing education providers require offerings to be determined in **contact hours**. Kentucky's requirement for yearly license renewal is 14 contact hours or the equivalent. The yearly earning period is from November 1 through October 31 of the licensure year.

[Reference: *Kentucky Nursing Laws* – 314.011; 314.073; 201 KAR 20:200, Definitions for mandatory continuing education; 201 KAR 20:215, Continuing competency requirements.]

Requirements for Licensure in Kentucky:

According to KBN Administrative Regulation 201 KAR 20:215, validation of CE/competency must include **one** of the following:

1. Proof of earning 14 approved contact hours; **OR**
2. A national certification or recertification related to the nurse's practice role (in effect during the whole period or initially earned during the period); **OR**
3. Completion of a nursing research project as principal investigator, coinvestigator, or project director. Must be qualitative or quantitative in nature, utilize research methodology, and include a summary of the findings; **OR**
4. Publication of a nursing related article; **OR**
5. A professional nursing education presentation that is developed by the presenter, presented to nurses or other health professionals, and evidenced by a program brochure, course syllabi, or a letter from the offering provider identifying the licensee's participation as the presenter of the offering; **OR**

6. Participation as a preceptor for at least one nursing student or new employee undergoing orientation (must be for at least 120 hours, have a one-to-one relationship with student or employee, may precept more than one student during the 120 hours, and preceptorship shall be evidenced by written documentation from the educational institution or preceptor's supervisor); **OR**
7. Proof of earning 7 approved contact hours, **PLUS** a nursing employment evaluation that is satisfactory for continued employment (must be signed by supervisor with the name, address, and phone number of the employer included), and cover at least 6 months of the earning period.
8. Certain college credit courses may be used to meet the CE Requirements. Nursing courses, designated by a nursing course number, and courses in physical and social sciences such as Psychology, Biology, and Sociology will count toward CE hours. **One semester credit hour equals 15 contact hours; one quarter credit hour equals 12 contact hours.**

[Reference: 201 KAR 20:215, Continuing competency requirements.]

STANDARDS FOR VERIFICATION OF MANDATORY CONTINUING EDUCATION EARNING

Following each licensure renewal period, individual licensees (selected by random audit) will be required to submit documented evidence validating continuing education/competency. Verification of mandatory CE/competency earning is not otherwise reported to the Board unless requested.

It is imperative that individual licensees retain for a minimum of five (5) years following the licensure period all copies of certificates of attendance (grade reports, pass—fail certificates, or other documents) verifying successful completion of approved continuing education offerings and/or competency. Certificates of completion for the required HIV/AIDS continuing education must be retained for 12 years. The domestic violence CE certificate should be retained indefinitely.

[References: 201 KAR 20:200, Definitions for mandatory continuing education; 201 KAR 20:215, Continuing competency requirements.]

CE EARNING REQUIREMENTS

Except for the first licensure renewal following the issuance of an original license by the Board, as a prerequisite for license renewal, all individuals licensed under provisions of Chapter 314 shall be required to document the completion of continuing education requirements not to exceed fourteen (14) contact hours in a given licensure period as prescribed in regulations promulgated by the Board.

KBN has an annual renewal process for all licensees. The CE/competency earning period is the same as the licensure period, i.e., November 1 through October 31 of each year. Licensees who recently reinstated a lapsed license need to refer to the KBN website at <http://kbn.ky.gov>, or contact the KBN office for information on required CE/competency for renewal of licensure.

[Reference: *Kentucky Nursing Laws* — 314.073, Continuing competency requirements]

SCHEDULE OF CE EARNING PERIODS FOR LICENSURE RENEWAL OF KENTUCKY LICENSES [REGISTERED NURSE and LICENSED PRACTICAL NURSE]		
EARNING PERIOD	EARNING REQUIREMENT	FOR RENEWAL OF LICENSE BY
Nov. 1 st – Oct. 31 st	14 Contact Hours or Equivalent *	Oct. 31 st of Licensure Year

* See pages 4-5 for details of methods to validate competency. [Reference: 201 KAR 20:230, Renewal of license; 201 KAR 20:215, Continuing competency requirements]

STANDARDS FOR RECOGNITION OF ACADEMIC CREDIT EQUIVALENCY FOR CONTINUING EDUCATION CONTACT HOURS

The Kentucky Board of Nursing will convert academic course work into contact hour equivalents using the following review criteria:

1. A nursing course, designated by a nursing course number, and **beyond the prelicensure curriculum of the individual participant.**
2. A course in the psychological, biological, sociological, or physical sciences, which is **beyond the prelicensure curriculum** of the individual participant.
3. An academic course applicable to nursing practice and appropriate for the nurse employed in fields of clinical practice, administration, education, or research. A licensee may request course review for approval of applicable nursing content by submitting an "Application for Individual Review".

One semester college credit hour equals 15 contact hours. One quarter college credit hour equals 12 contact hours. Prelicensure general education courses, either electives or designated to meet degree requirements, are not acceptable. CPR/BLS, in-service education, or nurse aide training are not acceptable for nursing CE. Questions regarding specific courses and/or circumstances should be directed to the Continuing Competency Program Coordinator at KBN.

[Reference: *Kentucky Nursing Laws* – 314.011; 201 KAR 20:215, Continuing competency requirements.]

Earning Continuing Education Hours:

Continuing education contact hours applicable to licensure renewal requirements may be earned by completing any of the following educational activities:

- Offerings provided by a KBN approved continuing education provider;
- Offerings approved by organizations recognized by KBN (Table 1);
- Academic courses with nursing content beyond that of the prelicensure level;
- Self-study or distance learning courses approved by organizations recognized by KBN.

TABLE 1

NURSING ORGANIZATIONS RECOGNIZED BY THE KENTUCKY BOARD OF NURSING FOR APPROVAL OF CONTINUING EDUCATION OFFERINGS

- American Academy of Nurse Practitioners (AANP)
- American Association of Critical—Care Nurses (AACN)
- American Association of Nurse Anesthetists (AANA)
- American College of Nurse—Midwives (ACNM)
- American Nurses' Association Credentialing Center (ANCC) of the American Nurses Association (ANA)
- Association of Women's Health, Obstetrical and Neonatal Nurses (AWHONN)
- National Association of Nursing Practitioners in Women's Health (NPWH)
- National Association of Pediatric Nurse Associates and Practitioners (NAPNAP)
- National Association of Practical Nurses Education and Service (NAPNES)
- National Federation of Licensed Practical Nurses (NFLPN)
- National League for Nursing (NLN)
- Other State Boards of Nursing

[Reference: 201 KAR 20:215, Continuing competency requirements]

KENTUCKY

MANDATORY HIV/AIDS EDUCATION REQUIREMENT

The Kentucky Revised Statutes (KRS) 214.615 and 214.610 mandates HIV/AIDS education for health professionals. All applicants for **initial** licensure must comply with the statutory requirement for **two hours** of HIV/AIDS education offered by an approved CE provider. House Bill 140 passed by the 2001 Regular Session of the General Assembly allows KBN to require the two hours of mandatory HIV/AIDS CE to be earned once within the designated 10-year period instead of once every two years. LPNs are required to earn the two contact hours between the dates of 11/1/2001 and 10/31/2011; RNs between the dates of 11/1/2002 and 10/31/2012.

The following **six content areas must be included** in the HIV/AIDS course curriculum:

1. Basic medical and epidemiologic information about HIV and the diseases and conditions it can cause.
2. Information regarding the transmission and prevention of HIV infection, and currently recognized methods of medical treatment for HIV infection.
3. Basic instruction for management of HIV infection in the healthcare workplace and in other commonly encountered working environments. These instructions shall be consistent with federal occupational safety and health standards.
4. A brief review of the moral, ethical and legal issues surrounding HIV infection.
5. Instruction regarding appropriate attitudes and behaviors toward those persons infected with HIV.
6. Instruction regarding the comprehensive human services available for those with HIV infection. [Reference 902 KAR 2:150 Section 3]

For additional information about content requirements for the HIV/AIDS courses, you may wish to contact the Cabinet for Health and Family Services at 502-564-6539, ext. 3555.

INFORMATIONAL UPDATE

DOMESTIC VIOLENCE

CONTINUING EDUCATION REQUIREMENT

During the 1996 Regular Session of the Kentucky General Assembly, House Bill 309 was enacted. HB 309 mandates domestic violence training requirements for multiple individuals and groups involved in the potential prevention, intervention, or response to domestic violence situations. The bill contains the following provisions for nurses licensed in Kentucky:

(2) The course shall include the dynamics of domestic violence, effects of domestic violence on adults and child victims, legal remedies for protection, lethality and risk issues, model protocols for addressing domestic violence, available community resources and victim services, and reporting requirements. The training shall be developed in consultation with legal, victim services, victim advocacy, and mental health professionals with an expertise in domestic violence.

(3) No later than June 30, 1999, every health care or mental health professional licensed or certified pursuant to KRS Chapters 309, 311, 319, 335, or 314 on the effective date of this Act shall successfully complete a 3-hour training course which meets the requirements of subsection (2) of this section. Persons who are granted licensure or certification after the effective date of this Act shall successfully complete the training within 3 years of the date of initial licensure or certification.

Thus, all nurses with active licensure status on July 15, 1996 had a mandatory requirement to earn 3 hours of KBN approved domestic violence CE before July 1, 1999. This is a one-time earning requirement. Any nurse licensed after July 15, 1996, has 3 years from the date of initial licensure to earn the 3 hours of domestic violence CE.

Compliance monitoring includes random audits that started in January 2000. Nurses should retain certificates of attendance/completion indefinitely. Copies of CE certificates of completion should not be submitted to KBN unless requested.

Any approved CE Provider may offer the mandatory domestic violence course provided that, as a minimum, the model curriculum approved March 25, 1997, by the Domestic Violence Training Committee of the Governor's Commission on Domestic Violence is followed.

If questions, call Mary Stewart at 502-429-7191 or 1-800-305-2042 Ext. 7191, or Patricia Spurr at 502-429-3333 or 1-800-305-2042 Ext. 3333.

INTRAVENOUS (IV) THERAPY CONTINUING EDUCATION

Effective September 15, 2004, KBN approved the Kentucky Administrative Regulation, 201 KAR 20:490, governing licensed practical nurse intravenous (IV) therapy scope of practice. The regulation identifies IV therapy functions that are recognized as being within the current scope of LPN practice, as well as identifies functions that will be an expansion of that practice.

An LPN who has met the education and training requirements may perform select functions except as limited and under supervision as stated in the regulation. The regulation requires that the education and training of LPNs who perform IV therapy contain specific components. For questions concerning this contact Sharon Mercer, Nursing Practice Consultant, at 502-429-3307 or 800-305-2042, ext. 3307, or by email at SharonE.Mercer@ky.gov.

[Reference: 201 KAR 20:490, Licensed practical nurse intravenous therapy scope of practice.]

PHARMACOLOGY CONTINUING EDUCATION

Advanced practice registered nurses (APRNs) are required to earn 5 contact hours of approved continuing education in pharmacology each licensure period. [Reference: 201 KAR 20:215, Continuing competency requirements.]

SEXUAL ASSAULT NURSE EXAMINER (SANE) CONTINUING EDUCATION

Credentialed Sexual Assault Nurse Examiners (SANE) must earn 5 contact hours of approved sexual assault continuing education each licensure period. Forensic medicine or domestic violence CE will meet this requirement. These hours count as part of the CE requirement for the period in which they are earned. [Reference: 201 KAR 20:215, Continuing competency requirements.]

APPROVAL AS A CE PROVIDER

A provider of continuing education may be any individual, organization, or entity approved by KBN. A potential provider should apply to KBN for approval in accordance with regulatory requirements. Evidence of compliance with the administrative standards specified in 201 KAR 20:220, Nursing continuing education provider approval, is required at the time of application. An application for initial provider approval may be submitted at any time. Retroactive approval shall not be granted.

INITIAL APPROVAL

Submitting an Initial Provider Approval application is the first step in the approval process, and is required of all nursing continuing education providers for the Commonwealth of Kentucky. [Reference: Application for Provider Approval; 201 KAR 20:220, Nursing continuing education provider approval.]

CONTINUING APPROVAL

Provider approval should be renewed approximately 120 days prior to expiration of the current approval date for the providership. Continued provider approval is contingent upon evaluation of the provider's past performance and current compliance with Board regulations, standards and criteria for continuing education.

KBN reserves the right to conduct a random audit of providers at any time. [Reference: Application for Provider Renewal; 201 KAR 20:220, Nursing continuing education provider approval.]

DENIAL, REVOCATION, SUSPENSION, OR PROBATION OF APPROVAL

KBN may deny, revoke, suspend, or probate approval, or otherwise discipline any approved provider, continuing education activity, or other approved entity for just cause. [Reference: 201 KAR 20:220, Nursing continuing education provider

RECORDS AND REPORTS

The provider shall have a system for maintaining and retrieving the records of continuing education offering(s) and participant attendance which facilitates the verification of attendance, contact hours earned, and evaluation of the learning activity.

Record-Keeping System

The provider's record-keeping system shall provide for the maintenance and retrieval of reports and records for a minimum of 5 years.

1. Records shall be maintained in an accurate and confidential manner.
2. A certificate of attendance shall be awarded only to those successfully meeting the learning requirement of the activity.
3. The provider's records shall indicate whether or not each nurse successfully completed offering requirements, and the number of contact hours awarded to each participant meeting earning requirements.
4. The provider shall indicate any nurse(s) attending but not meeting earning requirements.

Records Numbering System

KBN's system of assigning provider offering numbers is designed to promote maintenance of accurate records and data retrieval.

1. **Provider Core Number**: A five-digit number assigned by KBN constitutes the provider's permanent core number.
 - a) The core number is assigned when an application for providership is approved by KBN.
 - b) The core number is permanent and remains constant from year to year.
 - c) The provider number is nontransferable, and shall be used to identify all communications, records, and/or reports of the provider.
2. **Components of Provider Core Number Digits**.
 - a) **Category of Provider**. The first digit of the provider offering number shall identify the category of the provider.
 - (1) "1" = Professional nursing organization whose membership is restricted to nursing; e.g., KNA, KSALPN, AORN.
 - (2) "2" = Related nursing organizations whose membership includes non-nurses; e.g., KLN, EDNA. Or are organized only on a state or local level.
 - (3) "3" = Education institution's program of offering(s) of continuing education for nurses; e.g., school of nursing or department of continuing education for nursing.
 - (4) "4" = Health service agency employer of nurses; e.g., health department, nursing home, hospital.
 - (5) "5" = Health related organizations; nonprofit and/or tax exempt organizations whose services are primarily education and/or research; e.g., American Cancer Society, American Diabetes Association.
 - (6) "6" = Commercial organizations.
 - (7) "7" = Other.
 - b) **Chronological Number**. The second, third, fourth, and fifth digits of the provider's core number shall be assigned by the Board;
 - c) **Expiration Date**. The sixth, seventh, and eighth digits represent the month and year of the expiration date of providership approval; e.g., 1-11 (January 1, 2011).
 - d) **Offering Number**. Additional digits are assigned by the provider.
 - (1) If an offering is repeated during the approval period, the provider may wish to use the same offering number assigned for the first presentation.
 - (2) Revisions of the offering during the approval period should not require a change of the offering number.
 - e) **Sequential Listing of Provider Offering Number**. The digits of the provider offering number shall be listed in sequence to identify a Board approved provider and offering:
 - (1) The sequential listing resembles a social security number: 3-0916-1-12-015.
 - (2) The first digit "3" identifies the category of the provider as an educational institution.
 - (3) The next four digits "0916" indicate the chronological number assigned by the Board to the provider at the time of approval (Provider Core # = 3-0916).

- (4) The next three digits "1-12" indicate that the provider approval expiration date is January 1, 2012.
 - (5) The provider assigned offering number is "015" which shall identify the offering regardless of the number of times presented during the approval period.
3. The provider offering number shall appear on the certificate of completion to identify the contact hours credited.
 4. The provider offering number shall be listed on offering announcements and/or advertisements of an offering.

Participant Roster

The participant roster shall list the names of all individuals who attend the offering. Each nurse shall be identified by RN or LPN, license or social security number. The offering shall be identified by title, provider offering number, and date. The number of contact hours listed shall be accurate and earned by each nurse in accordance with KBN standards and criteria.

Offering Records

For each offering which awards contact hour credit for continuing education, the provider shall keep the following information filed in a manner to facilitate data retrieval: the offering number, title, participant attendance roster, written behavioral objectives, outline of content, synopsis or copies of learning aids and handouts, date(s) and time(s) of presentation of each session of an offering, contact hours, expiration date of KBN approval, instructor(s) and planner(s) curriculum vitae, summary of participant evaluations, requirements for earning contact hours, and any pre-offering announcements.

Summary of Participant Evaluations

Participants' achievement of the behavioral objectives of offerings shall be summarized for each offering and retained in the offering record.

This summary of participant evaluations shall be reported to KBN (at the time of the providership renewal) as a raw score when any offering evaluation summary reflects a greater than 20 percent below average ranking for any one evaluation item.

Quality Assurance/Audit of Records

As part of KBN's quality assurance program for mandatory continuing education, the continuing education activity of approved providers shall be subject to an audit by KBN. The audit may be a review of all provider activity or a random sampling of these.

1. KBN or its designee may at any time during the continuing education year conduct an audit. At the discretion of KBN, an audit may be conducted to: evaluate the performance and/or compliance with KBN's standards, criteria and/or regulations and/or to investigate complaints.
2. At the discretion of KBN, any one, or all, or a combination of the following methods of auditing may be used to evaluate the provider's educational unit and/or its continuing education activity.
 - a) Structural audit-evaluation of resources and facilities.
 - b) Process audit-evaluation of the planning process.
 - c) Retrospective audit-evaluation of records and reports.
 - d) Outcome audit-evaluation of offering presentation.
3. If an entity chooses neither to comply nor to cooperate with the audit process, KBN approval shall be immediately withdrawn.

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 1 (1)f – HIV/AIDS requirements (KRS 214.615)
- Section 1 (4) – Domestic violence requirements (KRS 194A.540)

201 KAR 20:070. Licensure by examination.

RELATES TO: KRS 194A.540, 214.615, 314.041, 314.051(3), (6), 314.470

STATUTORY AUTHORITY: KRS 314.041(2), 314.051(3), 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Kentucky Board of Nursing to promulgate administrative regulations to implement the provisions of KRS 314.011 to 314.991. KRS 314.041(2) requires an applicant for licensure as a registered nurse to pass an examination prescribed by the board. KRS 314.051(3) requires an applicant for licensure as a licensed practical nurse to pass an examination prescribed by the board. This administrative regulation establishes the requirements for the licensure of nurses by examination.

Section 1. Eligibility for Licensure by Examination for a Graduate of a Kentucky Program or Other State or Territorial Nursing Program. (1) To be eligible for licensure by examination, an applicant shall:

(a) Submit:

1. A properly executed application for licensure, as required by 201 KAR 20:370, Section 1(1);
2. The licensure application fee as established in 201 KAR 20:240;
3. A completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card and the fee required by the FBI that is within six (6) months of the date of the application;
4. A report from the Kentucky Administrative Office of the Courts, Courtnet Disposition System that is within six (6) months of the date of the application;
5. A certified copy of the court record of any misdemeanor or felony conviction as required by 201 KAR 20:370, Section 1(3); and
6. A letter of explanation that addresses each conviction, if applicable; and
7. A certified copy of any disciplinary action taken on any professional or business license in another jurisdiction with a letter of explanation or report any disciplinary action pending on any professional or business license in another jurisdiction;

(b) Notify the board as soon as a new address is established after submitting the application;

(c) Submit a copy of a marriage certificate, divorce decree, Social Security card, or court order to change the applicant's name, if the applicant's name is changed after the original application is filed;

(d) When taking the examination, abide by and cooperate with security procedures adopted by the board;

(e) Apply to take and pass the National Council Licensure Examination; and

(f) Meet the requirement for completion of an educational course on the human immunodeficiency virus and acquired immunodeficiency syndrome, as required by KRS 214.615.

(2) An application for licensure shall be valid for a period of one (1) year from the date the application is filed with the board office or until the board receives the results of the examination or until the provisional license expires, whichever comes first.

(3) The name of the applicant shall appear on the Certified List of Kentucky Program of Nursing Graduates as established in 201 KAR 20:260, the Certified List of Out-of-state Program of Nursing Graduates, or the applicant shall request that the program submit to the board an official transcript verifying completion of program requirements. The Certified List of Out-of-state Program of Nursing Graduates shall be submitted by the nurse administrator of the out-of-state program of nursing.

(4) The applicant shall complete the three (3) hour continuing education course on domestic violence within three (3) years of licensure as required by KRS 194A.540.

Section 2. Retaking the Examination. (1) An examination candidate who fails to achieve a passing result may retake the examination after meeting the requirements of Section 1 of this administrative regulation.

(2) The applicant shall not be eligible to take the examination more often than once every forty-five (45) days.

Section 3. Release of Examination Results. The board shall release examination results to:

(1) The candidate;

(2) Other state boards of nursing;

(3) The National Council of State Boards of Nursing, Inc.;

(4) The candidate's program of nursing; and

(5) An individual or agency who submits an applicant's or licensee's written authorization for their release, if applicable.

Section 4. Clinical Internship. (1) An applicant shall request a provisional license by completing the application for licensure required by Section 1 of this administrative regulation.

(2)(a) The board shall issue the provisional license to the applicant after Section 1(1)(a) and (3) of this administrative regulation are met.

(b) In the case of a graduate of a foreign nursing school, the board shall issue the provisional license after the requirements of 201 KAR 20:480, Section 1(1) and (4) are met.

(3) To be eligible for a clinical internship, the applicant shall hold a current provisional license.

(4)(a) A provisional license shall expire six (6) months from the date of issuance by the board and shall not be reissued unless the provisions of subsection (5) of this section or paragraph (b) or (c) of this subsection apply.

(b) If the applicant passes the NCLEX but has not completed the clinical internship prior to the expiration of the provisional license, the applicant shall meet the requirements of Section 1(1)(a), (b), and (c) of this administrative regulation.

1. A new provisional license shall be issued.

2. The applicant shall complete the clinical internship, but does not need to retake the NCLEX.

3. Regardless of hours that may have been completed under the first provisional license, the applicant shall complete 120 hours under the new provisional license.

(c) If the applicant fails the NCLEX and has not completed the clinical internship, the provisional license shall be voided. The applicant shall meet the requirements of Section 1(1)(a) through (e) of this administrative regulation, as applicable.

2. A new provisional license shall be issued after the applicant passes the NCLEX, at which time the applicant shall complete the clinical internship.

3. Regardless of hours that may have been completed under the first provisional license, the applicant shall complete 120 hours under the new provisional license.

(d) If the applicant fails the NCLEX and has completed the clinical internship, the provisional license shall be voided.

1. The applicant shall meet the requirements of Section 1(1)(a) through (e) of this administrative regulation as applicable.

2. The applicant does not need to complete the clinical internship again.

(e) If the applicant does not take the NCLEX and does not complete the clinical internship prior to the expiration of the provisional license, the applicant shall meet the requirements of Section 1(1)(a) through (e) of this administrative regulation, as applicable, and a new provisional license shall be issued under the provisions of this section.

(5) A person with a temporary physical or mental inability to complete the clinical internship shall:

(a) Complete the Petition to Hold Provisional License in Abeyance; and

(b) Submit evidence from a licensed health care practitioner that documents a diagnosis of a temporary physical or mental inability to complete the internship within the original six (6) months.

(6)(a) If the Petition to Hold Provisional License in Abeyance is granted, the current provisional license shall be void and shall be immediately returned to the board.

(b) The person whose petition has been granted shall not engage in nursing practice.

(7)(a)1. A person whose petition has been granted shall submit a written request to the board to reissue the provisional license once the temporary physical or mental inability has been resolved.

2. The request shall include the name, address, telephone number, date of birth, and Social Security number of the person.

3. The request shall also include written verification from a licensed health care practitioner that the temporary physical or mental inability has been resolved.

4. The person shall also submit a report from the Kentucky Administrative Office of the Courts, Courtnet Disposition System, if the previous one (1) is more than six (6) months old.

5. The person shall also submit a completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card and the fee required by the FBI, if the previous one (1) is more than six (6) months old.

(b) Upon submission of the required documentation and approval by the board, the board shall reissue the provisional license for six (6) months.

(c) If the required documentation is submitted more than one (1) year from the date of the initial application for licensure, the person shall meet the requirements of Section 1 of this administrative regulation.

(8) Documentation of completion of the clinical internship shall be submitted to the board in writing or electronically and it shall include the following:

(a) Name, address, telephone number, Social Security number, and date of birth of the applicant;

(b) Provisional license number;

(c) Name, address and telephone number of the facility where the clinical internship was completed; and

(d) Name of the supervising nurse.

(9) To qualify as "direct supervision" under KRS 314.041(5) and 314.051(6), the nurse responsible for the applicant shall at all times be physically present in the facility and immediately available to the applicant while the applicant is engaged in the clinical internship.

(10) The nurse responsible for the applicant shall be currently licensed to practice as a nurse in Kentucky.

(11)(a) An applicant may take the NCLEX examination anytime after being made eligible and may also complete the clinical internship at the same time.

(b) If the applicant has failed the NCLEX examination as a result of an application for licensure in a jurisdiction other than Kentucky, a provisional license to complete the clinical internship shall not be issued until the applicant has passed the NCLEX.

(12) If the applicant fails the examination, the provisional license shall be void and shall be immediately returned to the board.

Section 5. Practical Nurse Role Delineation Course. (1) A graduate of a board-approved registered nurse program who is unsuccessful on the National Council Licensure Examination for registered nurses may apply for licensure by examination as a licensed practical nurse pursuant to KRS 314.041(13).

(2)(a) Prior to applying for licensure as a practical nurse, the applicant seeking practical nurse licensure pursuant to KRS 314.041(13) shall complete a board-approved practical nursing role delineation course.

(b) The applicant shall return the registered nurse provisional license, if applicable.

(3)(a) The course shall be taken only at an approved LPN program of nursing.

(b) The program of nursing shall seek approval of the course from the board.

(4) The course shall consist of at least eight (8) hours of didactic instruction and sixteen (16) hours of clinical instruction.

(5) At the conclusion of the course, the individual shall be able to make decisions and take actions that are consistent with the scope and standards of practical nursing practice, established policies, procedures, and licensing laws.

(6) The LPN program of nursing shall submit to the board a certified list of individuals who completed the course.

(7) After completion of the practical nurse role delineation course, the applicant shall comply with Section 1 of this administrative regulation.

Section 6. Nurse Licensure Compact Provisions. (1) An applicant who is issued a license and who does not have permanent residency in Kentucky shall be issued a license that indicates on the license that it is only valid in Kentucky.

(2) The board may request that an applicant provide evidence of the applicant's state of residence.

Section 7. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Certified List of Kentucky Program of Nursing Graduates", 6/10, Kentucky Board of Nursing;

(b) "Petition to Hold Provisional License in Abeyance," (8/04), Kentucky Board of Nursing; and

(c) "Certified List of Out of State Program of Nursing Graduates", 6/10, Kentucky Board of Nursing.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m. (BNE-8; 1 Ky.R. 1251; eff. 7-2-75; Am. 6 Ky.R. 419; eff. 4-1-80; 8 Ky.R. 780; eff. 3-1-82; 9 Ky.R. 251; eff. 9-8-82; 11 Ky.R. 1621; eff. 6-4-85; 14 Ky.R. 571; eff. 11-6-87; 19 Ky.R. 1637; eff. 2-17-93; 20 Ky.R. 2044; 2622; eff. 3-14-94; 3219; eff. 8-4-94; 22 Ky.R. 1872; 2287; eff. 6-6-96; 24 Ky.R. 1752; 2108; eff. 4-13-98; 25 Ky.R. 592; 1030; eff. 11-18-98; 26 Ky.R. 1437; eff. 2-16-2000; 27 Ky.R. 820; 1247; eff. 11-17-2000; 28 Ky.R. 676; 1114; eff. 10-17-01; 1677; eff. 3-14-02; 29 Ky.R. 498; 918; eff. 10-16-02; 2121; eff. 4-11-03; 30 Ky.R. 378; eff. 10-15-03; 30 Ky.R. 378; 1584; 1926; eff. 2-16-04; 31 Ky.R. 792; 1290; 1399; eff. 2-22-05; 32 Ky.R. 287; eff. 10-19-05; 1917; eff. 6-21-06; 33 Ky.R. 859; 1286; eff. 11-15-06; 33 Ky.R. 4205; eff. 8-16-07; 34 Ky.R. 2559; 35 Ky.R. 258; eff. 9-5-08; 37 Ky.R. 423; 10-20-2010.)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 2
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201 KAR 20:085. Licensure periods.

RELATES TO: KRS 314.041, 314.051, 314.071, 314.073

STATUTORY AUTHORITY: KRS 314.131

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.071 requires the board to establish licensure periods for licenses issued by the board. This administrative regulation establishes the licensure periods.

Section 1.

(1) A nursing license or credential:

- issued during the first seven (7) months of a licensure period shall expire at the end (October 31) of the current licensure period.
- issued during the last five (5) months of a licensure period shall expire at the end (October 31) of the succeeding licensure period.

Section 2. Licensure Periods.

(1) The licensure period for all licenses and credentials, except for provisional, inactive, and retired status licenses, shall be for one (1) year beginning on November 1. (9 Ky.R. 289; eff. 9-8-82; Am. 11 Ky.R. 1623; eff. 6-4-85; 21 Ky.R. 1748; eff. 2-15-95; 31 Ky.R. 794; 1056; **eff. 1-4-2005.**)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 3 (5) – Domestic violence CE requirements (KRS 194A.540)
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201 KAR 20:095. Retired nurse licensure status.

RELATES TO: KRS 314.041(10), 314.051(10)

STATUTORY AUTHORITY: KRS 314.041(10), 314.051(10), 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Board of Nursing to promulgate administrative regulations to implement the provisions of KRS 314.011 to 314.991. KRS 314.041(10) and 314.051(10) authorize the board to promulgate administrative regulations concerning the granting of retired status for persons holding licensure as a "registered nurse" or a "licensed practical nurse". This administrative regulation establishes requirements for obtaining retired status and establishes requirements for changing licensure status to active.

Section 1. Retired Status.

- (1) Beginning November 1, 2005, a licensed practical nurse who is retired and holds or has held a Kentucky nurse license may apply for retired status by:
 - (a) Completing the "Application for Retired Status" as required by 201 KAR 20:370;
 - (b) Paying the fee set out in 201 KAR 20:240; and
 - (c) Submitting a copy of an official name change document, such as a court order, marriage certificate, Social Security card, or divorce decree, if applicable.
- (2) Beginning November 1, 2006, a registered nurse who is retired and holds or has held a Kentucky nurse license may apply for retired status by:
 - (a) Completing the "Application for Retired Status" as required by 201 KAR 20:370;
 - (b) Paying the fee set out in 201 KAR 20:240; and
 - (c) Submitting a copy of an official name change document, such as a court order, marriage certificate, Social Security card, or divorce decree, if applicable.
- (3) If the nurse currently holds an active license, he shall return the active license card with the "Application for Retired Status".
- (4)
 - (a) Upon completion of all requirements, the board shall issue the nurse a retired status license.
 - (b) The retired status license shall remain in effect unless reinstated in accordance with 201 KAR 20:225. A nurse who is currently under disciplinary action shall not be eligible for retired status.

Section 2.

- (1) An individual who has been granted retired status in Kentucky shall not be employed in this state as a nurse or function in the capacity of a nurse while maintaining the retired status.
- (2) An individual who is employed or who practices as a nurse in this state while on retired status shall be considered to be practicing without a license and in violation of KRS 314.031 and subject to the penalties in KRS 314.091 and 314.991.

Section 3. Inactive Licensure Status.

- (1) The requirements established in this section shall apply until:
 - (a) November 1, 2005 for a licensed practical nurse; or
 - (b) November 1, 2006 for a registered nurse.
- (2) If an individual has held inactive licensure status in Kentucky and wishes to apply for active licensure status, the individual shall:
 - (a) Complete the "Application for Licensure" as required by 201 KAR 20:370, Section 1(1)(a);
 - (b) Pay the current application fee for an active license required by 201 KAR 20:240, Section 1(2)(h); and
 - (c) Show evidence of:
 1. Licensure in another jurisdiction and active nursing practice of at least 500 hours within the preceding five (5) years in that jurisdiction;
 2. If an applicant has held an inactive license for five (5) years or less, completion of fourteen (14) contact hours of continuing education for each year since the last year of active licensure, with a minimum of twenty-eight (28) contact hours to a maximum of seventy (70) contact hours.
 - a. Twenty-eighty (28) hours of continuing education shall have been earned within twenty-four (24) months of the date of the application.
 - b. Continuing education earned more than five (5) years preceding the date of application shall not be counted toward meeting this requirement; or
 3. If an applicant has held an inactive license for more than five (5) years, completion of:

- a. A refresher course approved by the board, pursuant to 201 KAR 20:380. The refresher course shall have been completed within two (2) years of the date of the application; or
 - b. At least 120 contact hours of continuing education earned within one (1) year of the date of the application.
- (3) An individual who has been granted inactive status in Kentucky shall not be employed in this state as a registered nurse or licensed practical nurse or function in the capacity of a nurse while maintaining the inactive status. An individual who is employed or who practices as a nurse in this state while on inactive status shall be considered to be practicing without a license and in violation of KRS 314.031 and subject to the penalties in KRS 314.091 and 314.991.
- (4) Individuals changing licensure status from inactive to active during the first licensure period following issuance of a license by either examination or endorsement shall not lose the continuing education exemption of KRS 314.073(1).
- (5) An individual who was licensed on or after July 15, 1996, and who changes licensure status from inactive to active shall provide evidence of having earned three (3) hours of continuing education in domestic violence as required by KRS 194A.540. This requirement shall apply to an individual one (1) time only. Once earned, it shall not apply to any subsequent change of status.** (6 Ky.R. 162; eff. 10-3-79; Am. 9 Ky.R. 595; eff. 12-1-82; 11 Ky.R. 1624; eff. 6-4-85; 14 Ky.R. 574; 1066; eff. 11-6-87; 1581; eff. 3-10-88; 19 Ky.R. 1639; eff. 2-17-93; 27 Ky.R. 821; 1248; eff. 11-17-2000; 29 Ky.R. 499; 919; eff. 10-16-02; 30 Ky.R. 380; 847; 2546; eff. 10-15-03; 31 Ky.R. 339; eff. 8-24-04; 31 Ky.R. 339; 795; 1056; eff. 1-4-05; 32 Ky.R. 289; **eff. 10-19-05.**)
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FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 1 (1) (h) – HIV/AIDS requirement (DRS 214.615);
- Section 1 (4) – Domestic violence requirement (KRS 194A.540); and
- Section 2 (1) through (4) – CE requirements.

201 KAR 20:110. Licensure by endorsement.

RELATES TO: KRS 194A.540, 214.615, 314.031, 314.041, 314.051, 314.091, 314.103, 314.470, 314.991

STATUTORY AUTHORITY: KRS 314.041(7), 314.051(8), 314.101(4), 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Board of Nursing to promulgate administrative regulations to implement the provisions of KRS 314.011 to 314.991. KRS 314.041(7) and 314.051(8) authorize the board to issue a license to practice nursing as a registered nurse or a licensed practical nurse to an applicant who has passed the required examination or its equivalent and who was licensed to practice nursing in another jurisdiction. KRS 314.101(4) authorizes the board to issue a temporary work permit to a person who has completed the requirements for, applied for, and paid the fee for licensure by endorsement. This administrative regulation establishes the requirements for licensure by endorsement and establishes the requirements for a temporary work permit for an applicant to practice nursing while the application for a license is being processed.

Section 1. Eligibility for Licensure by Endorsement. (1) To be eligible for licensure by endorsement, an applicant shall:

- (a)1. Have completed a state approved program of nursing equivalent to Kentucky requirements; or
2. Have completed that portion of a state-approved program of nursing that is equivalent to a Kentucky program of nursing;
- (b) Have taken and passed the State Board Test Pool Examination or National Council Licensure Examination or an examination that is consistent with Section 4 of this administrative regulation;
- (c) Complete the application form, as required by 201 KAR 20:370, Section 1(1);
- (d) Submit the current fee for a licensure application, as established by 201 KAR 20:240;
- (e) Report and submit a certified copy of each disciplinary action taken or pending on a nursing or other professional or business license by another jurisdiction and a letter of explanation;
- (f) Submit a certified copy of the court record of each misdemeanor or felony conviction and a letter of explanation that addresses each conviction as required by 201 KAR 20:370, Section 1(3);
- (g) Request the U.S. jurisdiction or territory or foreign country of initial licensure to submit to the board a verification of licensure by examination, which shall include the following information:
 - 1.a. Name of the program of nursing completed and date of graduation, or
 - b. Name of the program of nursing attended and date of completion of the requirements for eligibility to take the licensure examination in that jurisdiction; and
2. A statement that the applicant's license has not been revoked, suspended, limited, probated, or otherwise disciplined by the licensing authority and is not subject to disciplinary action;
- (h) Meet the requirement for completion of an educational course on the human immunodeficiency virus and acquired immunodeficiency syndrome, as required by KRS 214.615;**
 - (i) Submit a completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card and the fee required by the FBI; and
 - (j) Submit evidence of completion of the clinical internship as required by KRS 314.041, 314.051, and Section 5 of this administrative regulation, if applicable.
- (2) An application shall be valid for a period of six (6) months, except as provided for in section 5 of this administrative regulation. The applicant shall:
 - (a) Submit a copy of a marriage certificate, divorce decree, Social Security card, or court order to change the applicant's name, if the applicant's name is changed after the original application is filed; and
 - (b) Notify the board in writing as soon as a new address is established after submitting the application.
- (3) After six (6) months, the applicant shall:
 - (a) Submit a new application;
 - (b) Submit the current licensure application fee; and
 - (c) Meet the requirements established in this section.
- (4) The applicant shall complete the three (3) hour continuing education course on domestic violence within three (3) years of licensure as required by KRS 194A.540.**

Section 2. Nursing Practice and Continuing Education Requirements. (1) **Except as provided in subsection (2) of this section, an applicant shall complete fourteen (14) contact hours in continuing education for each year since the last year in which the applicant is able to demonstrate at least 100 hours of practice.**

- (2) **The requirement established in subsection (1) of this section shall not apply to an applicant who:**
 - (a) **Has been licensed for less than five (5) years from the date of initial licensure;**
 - (b) **Has been actively licensed and engaged in nursing practice for at least 500 hours during the preceding five (5) years; or**
 - (c) **Has not been engaged in nursing practice during the five (5) years preceding the date of the application. This applicant shall:**
 1. **Complete a refresher course approved by the board, pursuant to 201 KAR 20:380, which shall have been completed within two (2) years of the date of the application; or**
 2. **Complete at least 120 contact hours of continuing education earned within one (1) year of the date of the application.**
 - (3) **At least fourteen (14) contact hours shall have been earned within the twelve (12) months preceding the date of application for active Kentucky licensure status.**
 - (4) **Continuing education earned more than five (5) years preceding the date of application shall not be counted toward meeting the requirements established in subsections (1) and (3) of this section.**

Section 3. Temporary Work Permit. (1) An applicant for licensure by endorsement who meets the requirements of Section 1(1)(a) through (f) and (i) of this administrative regulation shall be issued a temporary work permit.

- (2) A temporary work permit shall be valid for a period not to exceed six (6) months.

(3) An individual who practices as a nurse in Kentucky without a current temporary work permit prior to issuance of a current active license shall be considered to be practicing without a license in violation of KRS 314.031 and shall be subject to the penalties listed in KRS 314.091 and 314.991.

Section 4. Licensing Examination Standards. An applicant who has taken an examination other than the State Board Test Pool Examination or the National Council Licensure Examination shall provide evidence to the board that the examination met the following standards of equivalency:

- (1) Accepted psychometric procedures shall be used in the development of the examination;
- (2) The examination shall be available to the board in the English language;
- (3) The examination test plan blueprint shall be available for board review and adequately identifies test content and content weighting;
- (4) Test items shall be available for board review and demonstrate the testing of competency necessary for safe practice;
- (5) At least one (1) of the reliability estimates for the examination shall be 0.80 or higher;
- (6) The examination shall be revised after each administration to insure currency and security of content; and
- (7) The examination shall be given under strict security measures.

Section 5. Clinical Internship. This section shall apply to applicants as required by KRS 314.041(7) or 314.051(8).

(1)(a) An applicant shall request a provisional license by completing the application for licensure required by Section 1 of this administrative regulation.

(b) The provisional license shall be issued if the applicant meets the requirements of Section 1(1)(a), (b), and (d) through (i) of this administrative regulation.

(2) To be eligible for a clinical internship, the applicant shall hold a current provisional license.

(3) A provisional license shall expire six (6) months from the date of issuance by the board and shall not be reissued unless the provisions of subsection (4) of this section apply.

(4) A person with a temporary physical or mental inability to complete the clinical internship shall:

(a) Complete the Petition To Hold Provisional License in Abeyance; and

(b) Submit evidence from a licensed health care practitioner that documents a diagnosis of a temporary physical or mental inability to complete the internship within the original six (6) months.

(5)(a) If the Petition To Hold Provisional License in Abeyance is granted, the current provisional license shall be void and shall be immediately returned to the board.

(b) The person whose petition has been granted shall not engage in nursing practice.

(6)(a)1. A person whose petition has been granted shall submit a written request to the board to reissue the provisional license if the temporary physical or mental inability has been resolved.

2. The request shall include the name, address, telephone number, date of birth, and Social Security number of the person.

3. The request shall also include written verification from a licensed health care practitioner that the temporary physical or mental inability has been resolved.

(b) Upon submission of the required documentation and approval by the board, the board shall reissue the provisional license for six (6) months.

(c) If the required documentation is submitted more than six (6) months from the date of the initial application for licensure, the person shall meet the requirements of Section 1 of this administrative regulation.

(7) Documentation of completion of the clinical internship shall be submitted to the board in writing or electronically and shall include the following:

(a) Name, address, telephone number, Social Security number, and date of birth of the applicant;

(b) Provisional license number;

(c) Name, address, and telephone number of the facility where the clinical internship was completed; and

(d) Name of the supervising nurse.

(8) To qualify as "direct supervision" under KRS 314.041(5) and 314.051(6), the nurse responsible for the applicant shall at all times be physically present in the facility and immediately available to the applicant while the applicant is engaged in the clinical internship.

(9) The nurse responsible for the applicant shall be currently licensed to practice as a nurse in Kentucky.

Section 6. Applicants for LPN license pursuant to KRS 314.041(14). An applicant for an LPN license pursuant to KRS 314.041(14) shall meet the requirements of this administrative regulation.

Section 7. Nurse Licensure Compact Provisions. (1) An applicant who is issued a license and does not have permanent residency in Kentucky shall be issued a license that indicates on the license that it is only valid in Kentucky.

(2) The board may request that an applicant provide evidence of the applicant's state of residence.

Section 8. Incorporation by Reference. (1) "Petition to Hold Provisional License in Abeyance", 8/04, Kentucky Board of Nursing, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m. (1 Ky.R. 1252; eff. 7-2-75; Am. 6 Ky.R. 579; eff. 7-2-80; 8 Ky.R. 781; eff. 3-1-82; 11 Ky.R. 1626; eff. 6-4-85; 14 Ky.R. 575; 1067; eff. 11-6-87; 1582; eff. 3-10-88; 19 Ky.R. 1641; eff. 2-17-93; 24 Ky.R. 1754; 2110; eff. 4-13-98; 25 Ky.R. 594; 1031; eff. 11-18-98; 26 Ky.R. 1438; eff. 2-16-2000; 27 Ky.R. 823; 1249; eff. 11-17-00; 28 Ky.R. 677; eff. 10-17-01; 1678; 3-14-02; 29 Ky.R. 500; 920; eff. 10-16-02; 30 Ky.R. 380; 847; eff. 10-15-03; 31 Ky.R. 797; 1291; 1400; eff. 2-22-05; 32 Ky.R. 290; eff. 10-19-05; 1918; eff. 6-21-06; 33 Ky.R. 861; 1287; eff. 11-15-06; 34 Ky.R. 2338; 2525; eff. 6-18-2008; 37 Ky.R. 424; 10-20-2010.)

201 KAR 20:200. Definitions for mandatory continuing education.

RELATES TO: KRS 314.011(11), 314.073

STATUTORY AUTHORITY: KRS 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: In order to implement a statewide system of mandatory continuing education, it is necessary for nurses, providers, and the board to use common terminology for communication about continuing education.

Section 1. The definitions of terms used in 201 KAR 20:215 and 201 KAR 20:220 shall be as follows:

- (1) "Completed" means that contact hours have been earned.
 - (2) "Continuing education activity" means an offering given by a provider of continuing education who has been approved by the board and which relates to the practice of nursing or contributes to the competency of a nurse.
 - (3) "Health care agency" means an entity whose primary purpose is to provide health care services.
 - (4) "Identified deficiencies" means a learning objective that has been rated as unsatisfactory by at least twenty (20) percent of the participants.
 - (5) "In-service education" means that part of an employing agency's staff development program designed to provide information related to the work setting such as philosophy, policies, procedures, on-the-job training, orientation, basic cardiopulmonary resuscitation, and equipment demonstration as distinguished from an offering designed to meet the approved standards and criteria for continuing education.
 - (6) "Participants' evaluation summary" means the approved form which summarizes participants' evaluations of an offering.
 - (7) "Participant roster" means the attendance record.
 - (8) "Provider" means an entity which conducts continuing education activities.
 - (9) "Provide number" means the permanent, nontransferable number assigned by the board to a provider.
 - (10) "Self-study" means a self-directed learning experience under the guidance of, and monitored by, an approved provider.
 - (11) "Successful completion" means the participant has satisfactorily met the specific requirements of an offering. (6 Ky.R. 697; 7 Ky.R. 399; eff. 10-1-80; Am. 10 Ky.R. 1003; eff. 3-31-84; 11 Ky.R. 1627; eff. 6-4-85; 18 Ky.R. 3211; 19 Ky.R. 18; **eff. 7-4-92.**)
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201 KAR 20:215. Continuing competency requirements.

RELATES TO: KRS 314.011(12), 314.073, 314.991(1)-(3)

STATUTORY AUTHORITY: KRS 314.073, 314.131(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1), (2), and 314.073 require the Board of Nursing to promulgate administrative regulations to establish continuing competency requirements for nurses. This administrative regulation establishes the fees, procedures, and requirements for continuing competency for nurses.

Section 1. Definitions. (1) "Contact hour" means fifty (50) minutes of an approved, organized learning experience.

(2) "Earning period" means November 1 through October 31 of a current licensure period.

(3) "Preceptor" means an experienced and competent nurse who assumes responsibility to assist with the clinical practice experience of a nursing student or new employee by serving as a role model, teacher, and resource.

Section 2. (1) A licensee shall choose a method from Section 3 of this administrative regulation to validate his or her continued competency in nursing for each earning period.

(2) A licensee shall maintain the documentation of the method chosen.

(3) A licensee shall provide the documentation if directed by the board.

Section 3. Methods for continued competency validation are as follows:

(1) Fourteen (14) contact hours of continuing education which shall:

(a) Be from a provider approved by the board pursuant to 201 KAR 20:220 and earned during the licensure period; and

(b) Include the continuing education required by Section 5 of this administrative regulation;

(2) Current national certification or recertification and the continuing education required by Section 5 of this administrative regulation. The certification shall be related to the nurse's practice role and shall:

(a) Have been initially attained during the licensure period;

(b) If issued for a period of time as evidenced by an expiration date, have been in effect during the entire licensure period; or

(c) Have been recertified during the licensure period;

(3) The continuing education required by Section 5 of this administrative regulation and at least one (1) of the following during the licensure period:

(a) Completion of a research project that is nursing-related:

1. As principal investigator, coinvestigator, or project director;

2. That is qualitative or quantitative in nature;

3. That utilizes a research methodology;

4. That increases knowledge, causes an improved outcome, or changes behavior, and that is evidenced by an abstract of the project which includes a summary of the findings;

(b) Publication of a nursing-related article;

(c) A nursing continuing education presentation that is:

1. A presentation that is designed and developed by the presenter;

2. Presented to nurses or other health professionals; and

3. Evidenced by a program brochure, course syllabi, or a letter from the offering provider identifying the licensee's participation as the presenter of the offering;

(d) Participation as a preceptor for at least one (1) nursing student or new employee.

1. The preceptorship shall be for at least 120 hours.

2. There shall be a one-to-one relationship between the preceptor and the student or employee.

3. The preceptor may precept more than one (1) student or employee during the 120 hours.

4. The preceptorship shall be evidenced by written documentation from the educational institution or preceptor's supervisor; or

(4)(a) Seven (7) hours of continuing education from a provider approved by the board pursuant to 201 KAR 20:220 and earned during the licensure period which shall include the continuing education required by Section 5 of this administrative regulation; and

(b) A nursing employment evaluation that is satisfactory for continued employment. The evaluation shall:

1. Cover a period of at least six (6) months during the earning period;

2. Be signed by the nurse's supervisor; and

3. Include the name, address and telephone number of the employer.

Section 4. (1) A licensee shall provide documentation of the methods used to validate continued competency if the licensee is the subject of a disciplinary complaint.

(2) A licensee shall provide documentation of the methods used to validate continued competency if requested by the board pursuant to a random audit of licensees.

Section 5. (1) Registered nurses and licensed practical nurses shall earn a minimum of two (2) contact hours of HIV/AIDS education:

(a) Approved by the Cabinet for Health and Family Services pursuant to KRS 214.610; or

(b) Offered by a provider approved pursuant to 201 KAR 20:220.

(c) These contact hours shall be earned at least one (1) time every ten (10) years.

(2) Advanced practice registered nurses shall earn a minimum of five (5) contact hours in pharmacology.

(3) Sexual assault nurse examiners shall earn the continuing education required by 201 KAR 20:411, Section 8.

Section 6. (1)(a) A licensee shall maintain records to substantiate methods used to validate competency.

(b) All records shall be retained for at least five (5) years following the current licensure period, except for HIV/AIDS education records which shall be maintained for twelve (12) years.

(2)(a) A licensee shall, upon request, furnish to the board or its staff, legible copies of the records required to be maintained by subsection (1) of this section.

(b) Copies shall be furnished within thirty (30) days of the date a written request is mailed by first class to the last known address of the licensee or applicant.

(c) Failure to furnish records as required by this administrative regulation shall be cause for the issuance of a complaint pursuant to 201 KAR 20:161 for failure to comply with KRS 314.073(2).

(3)(a) Except as provided by paragraph (b) of this subsection, if the board determines that a licensee has failed to comply with the continuing competency requirements, he shall be allowed to cure the noncompliance if he:

1. Meets the continuing competency requirements within ninety (90) days of notification of noncompliance;
2. Enters a consent decree with the board; and
3. Pays a civil penalty imposed by the board pursuant to KRS 314.991.

(b) The board shall issue a complaint pursuant to 201 KAR 20:161 if:

1. A licensee fails to furnish records as requested pursuant to subsection (2) of this section; or
2. There is evidence of fraud or deceit in procuring or attempting to procure a license to practice nursing.

(4)(a) Partial credit for attendance at a continuing education activity shall not be given.

(b) A licensee who attends continuing education activities, whether as a presenter, participant, or student, shall attend the entire offering to be eligible to receive the number of contact hours for which the activity has been approved.

(5) It shall be the responsibility of each licensee to select and participate in those continuing education activities that will meet the criteria for acceptable continuing education.

(6) A licensee shall not repeat a continuing education offering within a licensure period.

Section 7. (1) Successful completion of a postlicensure academic course at a college, university, or postsecondary vocational institution shall qualify as a continuing education activity obtained from an approved provider if relevant to nursing practice under subsection 3 of this section.

(2) Contact hours shall be calculated as follows:

- (a) One (1) semester or trimester hour of academic credit shall equal fifteen (15) contact hours; or
- (b) One (1) quarter hour of academic credit shall equal twelve (12) contact hours.

(3) The following courses shall be relevant to nursing practice:

- (a) A nursing course, designated by a nursing course number, and beyond the prelicensure curriculum of the individual licensee; or
 - (b) An academic course that is applicable to the nurse's role and beyond the prelicensure curriculum of the individual licensee.
- (4) A licensee may request course review for approval of applicable nursing content pursuant to Section 8 of this administrative regulation.

(5) If it is an academic course in which grades are given, the licensee shall achieve a grade of "C" or better, or a pass on a pass-fail grading system.

Section 8. (1) A licensee may request an individual review of a nonapproved continuing education activity completed during the earning period if, within thirty (30) days after the expiration of the immediate past licensure period, the licensee has:

- (a) Requested the review by submitting an "Application for Individual Review"; and
- (b) Paid a fee of ten (10) dollars.

(2) The review shall be based on the standards established by:

- (a) Sections 2 through 7 of this administrative regulation; and
- (b) 201 KAR 20:220.

(3) Approval by the board of a nonapproved continuing education activity shall:

- (a) Qualify it as having been obtained from an approved provider for the licensee requesting the review; and
- (b) Be limited to the particular offering upon which the request for individual review is based.

(4) The board may offer continuing education hours for programs sponsored by the board. These continuing education hours shall be deemed to have been obtained from an approved provider. The board shall comply with all applicable provider standards.

Section 9. Incorporation by Reference. (1) "Application for Individual Review," 9/2005, Kentucky Board of Nursing, is incorporated by reference.

(2) This document may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222-5172, Monday through Friday, 8 a.m. to 4:30 p.m. (6 Ky.R. 699; Am. 7 Ky.R. 400; eff. 10-1-1980; 9 Ky.R. 596; eff. 12-1-1982; 11 Ky.R. 1630; eff. 6-4-1985; 14 Ky.R. 583; eff. 11-6-1987; 2193; eff. 8-5-1988; 18 Ky.R. 3212; 19 Ky.R. 18; eff. 7-4-1992; 2671; eff. 8-6-1993; 22 Ky.R. 1337; 1594; eff. 3-7-1996; 23 Ky.R. 3073; eff. 3-19-1997; 27 Ky.R. 824; 1448; eff. 12-21-2000; 28 Ky.R. 126; eff. 9-10-2001; 29 Ky.R. 502; 921; eff. 10-16-2002; 2123; 2450; eff. 4-11-2003; 30 Ky.R. 2100; 2289; eff. 5-24-2004; 31 Ky.R. 799; 1058; eff. 1-4-2005; 32 Ky.R. 718; eff. 1-6-2006; 2322; eff. 9-1-2006; TAm eff. 7-13-2010.)

201 KAR 20:220. Nursing continuing education provider approval.

RELATES TO: KRS 314.011(12), 314.073, 314.131(1), (2)

STATUTORY AUTHORITY: KRS 314.131(1), (2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(2) and 314.073(3) require the board to establish continuing competency requirements and approve providers of continuing education. This administrative regulation establishes requirements for providers of continuing education.

Section 1. (1) A provider applicant shall submit an:

- (a) "Application for Provider Approval"; and
- (b) Application fee as set forth in 201 KAR 20:240.
- (2) If an application is approved, the board shall issue a provider number to the applicant.
- (3) Provider approval shall initially expire on December 31 of the second year following initial approval.
- (4) On or before September 30 of the year in which an approval period expires, an approved provider shall submit the:
 - (a) "Application for Provider Renewal"; and
 - (b) Fee as set forth in 201 KAR 20:240.
- (5) Renewal shall be for five (5) years.
- (6) A provider applicant may establish compliance by submitting evidence of approval by one (1) of the following organizations:
 - (a) American Academy of Nurse Practitioners;
 - (b) American Association of Critical Care Nurses;
 - (c) American Association of Nurse Anesthetists;
 - (d) American College of Nurse Midwives;
 - (e) American Nurses Credentialing Center;
 - (f) Association of Women's Health, Obstetrical and Neonatal Nurses;
 - (g) National Association of Nursing Practitioners in Women's Health;
 - (h) National Association Pediatric Nurses Associates and Practitioners;
 - (i) National Association for Practical Nurses Education and Service;
 - (j) National Federation of Licensed Practical Nurses;
 - (k) National League for Nursing; and
 - (l) State Boards of Nursing.

(7)(a) An organization that approves nursing continuing education may request that it be added to this administrative regulation.

(b) An organization shall be included in this administrative regulation if the board determines that its standards are comparable to the standards established by the provisions of this administrative regulation.

(8) Continuing education earned from a provider that is recognized by an organization listed in subsection (6) of this section for an advanced practice registered nurse may be utilized for the pharmacology requirement of 201 KAR 20:215, Section 5(2).

Section 2. (1) The board may review a provider's continuing education activities or approval status at any time.

(2) Except as provided in subsection (3) of this section, if after a review of a provider it is determined that the provider does not comply with this administrative regulation, the board shall send the provider notice of its intent to deny or limit the provider's approval status.

(3) If after a review of a continuing education activity it is determined that the activity does not comply with this administrative regulation, the board shall send the provider notice of its intent to deny approval status for subsequent offerings of that specific continuing education activity.

(4)(a) A request for a hearing before the board shall be filed within ten (10) days of receipt of the board's notice.

(b) If a provider fails to submit a request for a hearing within the time specified in paragraph (a) of this subsection, the board shall implement the action proposed in its notice.

Section 3. Providers shall comply with the following standards:

(1)(a) A nurse who meets the qualifications established in paragraph (b) of this subsection shall be administratively responsible for continuing education activities, including:

- 1. Planning;
- 2. Development;
- 3. Implementation; and
- 4. Evaluation.

(b) A nurse administrator shall:

- 1. Hold a current active license;
- 2. Have experience in adult and continuing education; and
- 3. Hold a baccalaureate or higher degree, in nursing.

(c) The nurse administrator of continuing education for licensed practical nursing groups shall hold a diploma, or its equivalent, from an approved school of practical nursing.

(2) Organized learning activities shall be based upon systematic needs assessment, and shall support quality continuing education that:

- (a) Enhances the quality, safety and effectiveness of care provided by nurses; and
- (b) Contributes directly to the competence of a nurse.
- (3) The content of nursing continuing education shall be designed to:
 - (a) Present current theoretical knowledge to enhance and expand nursing skills; and
 - (b) Promote the development, or change in attitudes, necessary to make competent judgments and decisions in nursing.
- (4) Objectives for continuing education activities shall be:

- (a) Related to nursing practice and interventions;
- (b) Stated in clearly defined expected learner outcomes; and
- (c) Consistent with needs assessment data.

(5) The continuing education activity shall reflect cooperative planning between the nurse administrator, faculty and content experts.

(6) The content for each educational activity shall include and be documented in provider files as follows:

(a) An agenda indicating a presentation schedule, presenters, topics, meals, breaks.

(b) Topical outline, teaching methods, and corresponding time frames sufficient to support relevance and value of the educational activity to safe, effective nursing practice.

(7) Teaching methods shall be consistent with the content and learning objectives, and shall reflect the use of adult learning principles.

(8) Faculty for continuing education activities shall demonstrate content knowledge and expertise.

(9) The name, title and credentials identifying the educational and professional qualifications for each faculty member shall be retained in the provider offering files.

(10) Resources allocated for the continuing education activity shall be adequate in terms of education unit organization, with fiscal support for adequate staff, facilities, equipment and supplies to ensure quality teaching-learning in a comfortable environment that is accessible to the target audience.

(11) Participants shall be provided with essential information for review prior to registration. This information shall include:

- (a) Learning objectives;
- (b) Content overview;
- (c) Date, time, and presentation schedule;
- (d) Presenter;
- (e) Number of contact hours;
- (f) Fee and refund policy; and
- (g) Requirements for successful completion.

(12) Published information about continuing education activities offered by providers approved by the board shall include the:

- (a) Provider number; and
- (b) Following statement: "Kentucky Board of Nursing approval of an individual nursing continuing education provider does not constitute endorsement of program content."

(13) A provider shall notify the board in writing within one (1) month of any changes in its administration, such as nurse administrator, mailing address, telephone number or other relevant information.

(14) A provider shall designate and publish the number of hours of any portion of an offering dedicated to pharmacology.

(15) Records of continuing education activities shall be maintained for a period of five (5) years, including the following:

- (a) Title, date and site of the activity;
- (b) Name of the person responsible for coordinating and implementing the activity;
- (c) Purpose, documentation of planning committee activities, learner objectives, content outline, faculty, teaching and evaluation methods;
- (d) Participant roster, with a minimum of:

1. Name; and

2. Social Security number or license number;

- (e) Summary of participant evaluations;
- (f) Number of continuing education contact hours awarded;
- (g) Master copy of certificate awarded.

(16) Participants shall receive a certificate of attendance that documents participation with the following:

- (a) Name of participant;
- (b) Offering title, date and location;
- (c) KBN's provider's name, address, telephone number, approval number and expiration date;
- (d) Name and signature of authorized provider representative;
- (e) Number of continuing education contact hours awarded.

(17) There shall be a clearly defined method for evaluating the continuing education activity which includes the following:

(a) An evaluation tool that includes participant appraisal of achievement of each learning objective; teaching effectiveness of each presenter; relevance of content to stated objectives; effectiveness of teaching methods; and appropriateness of physical facilities.

(b) A mechanism for periodic, systematic evaluation of the provider's total program of educational activities.

(18) An action plan with time lines for resolution of identified deficiencies shall be maintained.

(19) The provider shall have current policies and procedures for the management of the providership that demonstrate compliance with the required standards.

(20) The continuing education providership shall be a recognizable function within the sponsoring organization.

Section 4. (1) The following forms are incorporated by reference:

(a) "Application for Provider Approval ", 6/2005, Kentucky Board of Nursing;

(b) "Application for Provider Renewal", 6/2005, Kentucky Board of Nursing.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m. (6 Ky.R. 699; Am. 7 Ky.R. 401; eff. 10-1-1980; 9 Ky.R. 597; eff. 12-1-1982; 11 Ky.R. 990; eff. 1-7-1985; 14 Ky.R. 584; eff. 11-6-1987; 18 Ky.R. 3213; 19 Ky.R. 20; eff. 7-4-1992; 23 Ky.R. 3075; 3558; eff. 3-19-1997; 27 Ky.R. 826; 1250; eff. 11-17-2000; 28 Ky.R. 128; eff. 9-10-2001; 29 Ky.R. 2945; eff. 8-13-03; 32 Ky.R. 293; eff. 10-19-2005; 34 Ky.R. 1785; eff. 3-19-2008; TAm eff. 7-15-2010.)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 1 (3) through (5) – CE requirements;
- Section 3 (2) – Domestic violence requirement (KRS 194A.540).

201 KAR 20:225. Reinstatement of license.

RELATES TO: KRS 164.772, 194A.540, 314.041(11), 314.042(6), 314.051(11), 314.071, 314.073, 314.075, 314.085(1), 314.091

STATUTORY AUTHORITY: KRS 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Board of Nursing to promulgate administrative regulations to implement the provisions of KRS 314.011 to 314.991. KRS 314.041(11), 314.042(6), and 314.051(11) allow a person whose license has lapsed due to failure to renew to be able to reinstate the license. KRS 314.091 authorizes the board to discipline a licensee for a violation of the statutes or administrative regulations. This administrative regulation establishes procedures for reinstatement of a license that has lapsed or has been subject to disciplinary action.

Section 1. Reinstatement of Lapsed or Retired License. (1) A license shall be lapsed if it has expired because of the licensee's failure to:

- Submit a completed and timely application for renewal;
- Submit data required to enable the board to complete the processing of an application;
- Submit the current application fee; or
- Meet all requirements for renewal of a license, in accordance with KRS 314.071.

(2) A lapsed or retired license may be reinstated by:

- Submitting a completed application form required by 201 KAR 20:370, Section 1(1)(a) or (c);
- Paying the current application fee required by 201 KAR 20:240, Section 1(2)(g) or (m);
- Submitting a completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card and the fee required by the FBI that is within six (6) months of the date of the application;
- Submitting a criminal record check report from the Kentucky Administrative Office of the Courts, Courtnet Disposition System that is within six (6) months of the date of the application;
- Submitting a certified copy of the court record of any misdemeanor or felony conviction as required by 201 KAR 20:370, Section 1(3);
- Submitting a letter of explanation that addresses each conviction, if applicable;
- Submitting a certified copy of any disciplinary action taken on a nursing or other professional or business license in another jurisdiction with a letter of explanation or report any disciplinary action pending on a nursing or other professional or business license in another jurisdiction; and
- Meeting all other requirements of this section.

(3)(a) If an individual applies for reinstatement of a lapsed license to active status, the applicant shall complete fourteen (14) contact hours of continuing education for each year since the date of last active licensure, if the date of last active licensure is within five (5) years of the application for reinstatement, but more than one (1) year from the date of last active licensure.

1. Fourteen (14) hours of continuing education shall have been earned within twelve (12) months of the date of the application.

2. Continuing education earned more than five (5) years preceding the date of application shall not be counted toward meeting this requirement.

(b) If an applicant has not been engaged in nursing practice during the five (5) years preceding the date of the application, the applicant shall:

1. Complete a refresher course approved by the board, pursuant to 201 KAR 20:380. The refresher course shall have been completed within two (2) years of the date of the application; or

2. Complete at least 120 contact hours of continuing education earned within one (1) year of the date of the application.

(c) An individual may use the continuing competency methods set out in 201 KAR 20:215, Section 3 for reinstatement if that individual:

1. Was exempt from the contact hour earning requirement pursuant to KRS 314.073(1) and applies for reinstatement of a lapsed license within one (1) year from the date of lapse; or

2. Allowed the license to lapse and applies for reinstatement of a lapsed license within one (1) year from the date of lapse.

(d) Continuing competency used for reinstatement pursuant to paragraph (c) of this subsection shall not be used for renewal of the license.

(4)(a) If the applicant has been currently licensed and actively engaged in nursing practice in another jurisdiction for at least 500 hours during the preceding five (5) years, the requirements of subsection (3) of this section shall not apply.

(b) The applicant shall submit evidence to verify active practice.

Section 2. Reinstatement of License Subject to Disciplinary Action. (1) If a license has been revoked, an individual may apply for reinstatement by:

- Completing the appropriate application required by 201 KAR 20:370, Section 1(1)(a) or (c);
- Paying the current application fee required by 201 KAR 20:240, Section 1(2)(g) or (m);
- Meeting the terms of the disciplinary order; and
- Retaking the licensure examination and achieving a passing score.

(2) A hearing shall be held to determine if the issuance of a license would no longer be a threat to public safety and health.

(3)(a) If a license has been suspended or voluntarily surrendered, an individual may apply for reinstatement by:

1. Completing an application required by 201 KAR 20:370, Section 1(1)(a) or (c);

2. Paying the fee required by 201 KAR 20:240, Section 1(2)(g) or (m); and

3. Notifying the board, in writing, that the requirements of the decision or agreed order have been met.

(b) If the decision or agreed order requires that a hearing be held, the individual shall notify the board, in writing, to request that a hearing be scheduled.

(4) An individual whose license has been suspended or voluntarily surrendered shall be required to comply with the continuing education requirements of KRS 314.073 for the period during which the license was suspended or surrendered.

(5)(a) If a license has been probated and the individual has allowed the license to expire prior to the end of the probationary period, and the individual later applies for reinstatement, the license shall be reinstated subject to the remaining probationary period.

(b) The individual shall comply with all requirements for reinstatement, in accordance with KRS 314.071.

(6)(a) A person may seek reinstatement of a license pursuant to subsection (3) of this section, if an order of immediate temporary suspension has been issued pursuant to:

1. KRS 314.085(1) because of a person's failure to obtain an evaluation and the person subsequently obtains the evaluation;
2. KRS 314.075 because of a person's submission of a bad check and the person subsequently makes the check good; or
3. KRS 164.772 because of a notice from the Kentucky Higher Education Assistance Authority that a person is in default of a student loan and the Kentucky Higher Education Assistance Authority subsequently notifies the board that the person is no longer in default.

(b) A request for reinstatement of a license following the issuance of an order of immediate temporary suspension as listed in paragraph (a) of this subsection may be denied, if in the opinion of the board, continuance of the temporary suspension is necessary in order to protect the public.

Section 3. Miscellaneous Requirements. (1) (a) A copy of an official name change document shall be submitted by the applicant if making application, if applicable.

(b) Verification of the name change shall be made by submitting a copy of a:

1. Court order;
2. Marriage certificate;
3. Divorce decree; or
4. Social Security card.

(2) An individual whose license lapsed, was suspended, or voluntarily surrendered prior to July 15, 1996 shall earn three (3) hours of continuing education in domestic violence within three (3) years of reinstatement of the license as required by KRS 194A.540.

(3) An individual who holds a nursing license that was revoked by disciplinary order of the board prior to December 31, 1987 shall meet all requirements of Section 2 of this administrative regulation except Section 2(1)(d) of this administrative regulation. (6 Ky.R. 700; Am. 7 Ky.R. 402; eff. 10-1-80; 9 Ky.R. 598; eff. 12-1-82; 11 Ky.R. 1631; eff. 6-4-85; 14 Ky.R. 585; 1071; eff. 11-6-87; 1583; eff. 3-10-88; 19 Ky.R. 1642; eff. 2-17-93; 27 Ky.R. 828; 1251; eff. 11-17-2000; 28 Ky.R. 680; 1115; eff. 10-17-01; 29 Ky.R. 504; 922; eff. 10-16-02; 30 Ky.R. 383; 2547; eff. 10-15-03; 31 Ky. R. 339; eff. 8-24-04; 339; 800; 1059; eff. 1-4-05; 32 Ky.R. 295; eff. 10-19-05; 33 Ky.R. 2354; eff. 5-4-07; 34 Ky.R. 2343; 2528; eff. 6-18-2008; 35 Ky.R. 2340; 2666; eff. 6-11-2009; 37 Ky.R. 429; 10-20-2010.)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 1 (4) – CE requirements for renewal of license (201 KAR 20:215);
- Section 2 – First-time renewal are exempt from earning CE hours (201 KAR 20:215).

201 KAR 20:230. Renewal of licenses.

RELATES TO: KRS 314.041, 314.051, 314.071, 314.073

STATUTORY AUTHORITY: KRS 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the board to promulgate administrative regulations to implement the provisions of KRS Chapter 314. This administrative regulation establishes requirements and procedures for the renewal of licenses.

Section 1. Eligibility for Renewal of Licenses. To be eligible for renewal of licenses, applicants shall:

- (1) Hold a valid and current license issued by the board;
- (2) Submit a completed application form as required by 201 KAR 20:370, Section 1(1), to the board office, postmarked no later than the last day of the licensure period;
- (3) Submit the current fee required by 201 KAR 20:240;
- (4) Have met requirements of 201 KAR 20:215, if applicable;**
- (5) Submit certified copies of court records of any misdemeanor or felony convictions with a letter of explanation;
- (6) Submit certified copies of any disciplinary actions taken in other jurisdictions with a letter of explanation or report any disciplinary action pending on nursing or other professional or business licenses in other jurisdictions; and
- (7) Have paid all monies due to the board.

Section 2. **An applicant shall be exempt from meeting the continuing competency requirements of 201 KAR 20:215 if renewing for the first time:**

- (1) An original Kentucky license issued by examination or endorsement; or**
- (2) A license that has been reinstated pursuant to 201 KAR 20:225.**

Section 3. The licensure period for renewal of licenses shall be as specified in 201 KAR 20:085. (9 Ky.R. 289; 400; eff. 9-8-82; 11 Ky.R. 1632; eff. 6-4-1985; 14 Ky.R. 587; eff. 11-6-87; 19 Ky.R.1643; 2-17-93; 23 Ky.R. 3076; 3560; 3-19-97; 28 Ky.R. 130; 558; 9-10-2001; 31 Ky.R. 802; 1060; eff. 1-4-2005; 32 Ky.R. eff. 10-19-2005; 36 Ky.R. 1304 eff. 3-5-2010; 37 Ky.R. 952; eff. 10-20-2010.)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 2 (1) and (4) – Fees for applications for CE approvals.

201 KAR 20:240. Fees for applications and for services.

RELATES TO: KRS 61.874(3), 314.041(8), (10)(d), 314.042(3), (6), 314.051(2), (10)(d), 314.071(1), (2), 314.073(7), 314.142(1)(b), 314.161
STATUTORY AUTHORITY: KRS 61.874(3), 314.041(8), (10)(d), 314.042(3), (6), 314.051(2), (10)(d), 314.071(1), (2), 314.073(7), 314.131(1), 314.142(1)(b), 314.161

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.142(1)(b) requires the board to establish an application fee for a registered nurse who applies to the board to be credentialed as a "sexual assault nurse examiner". KRS 314.161 authorizes the board to establish fees necessary to implement KRS Chapter 314. KRS 314.041(8), (10)(d), 314.042(3), (6), 314.051(2), (10)(d), 314.071(1), (2), and 314.073(7) require the board to establish fees for licensure, examination, renewal, reinstatement, and continuing education. This administrative regulation establishes those fees.

Section 1. Fees for Licensure Applications. (1) The board shall collect a fee for:

- (a) An application for licensure; and
- (b) Licensure renewal or reinstatement.
- (2) The fee for an application shall be:
 - (a) Licensure by endorsement as a registered nurse - \$150.
 - (b) Licensure by endorsement as a licensed practical nurse - \$150.
 - (c) Licensure by examination as a registered nurse - \$110.
 - (d) Licensure by examination as a licensed practical nurse - \$110.
 - (e) Renewal of license - forty (40) dollars.
 - (f) Retired status - twenty-five (25) dollars.
 - (g) Reinstatement of license - \$120.
 - (h) Paper copy of an application - forty (40) dollars.
 - (i) Full verification of licensure, credential or registration history - fifty (50) dollars.
 - (j) Duplicate license or registration card or letter - thirty-five (35) dollars.
 - (k) Licensure as an advanced practice registered nurse - \$150.
 - (l) Renewal of licensure as an advanced practice registered nurse - forty (40) dollars.
 - (m) Reinstatement of licensure as an advanced practice registered nurse - \$120.
 - (n) Name change - thirty-five (35) dollars.
 - (o) Application to establish a registered nurse or licensed practical nurse preclicensure program of nursing pursuant to 201 KAR 20:280 - \$2,000.
 - (p) Application to establish a doctor of nursing practice program pursuant to 201 KAR 20:061, Section 1 - \$250.
 - (q) Application to establish a doctor of nursing practice program pursuant to 201 KAR 20:061, Section 2 - \$2,000.
 - (r) Application to approve an advanced practice registered nurse program pursuant to 201 KAR 20:062, Section 3 - \$250.
 - (s) Application to establish an advanced practice registered nurse program pursuant to 201 KAR 20:062, Section 4 - \$2,000.
- (3) An application shall not be evaluated unless the current fee is submitted.

Section 2. **Fees for Applications for Continuing Education Approvals. The fee for an application for approval of a provider of continuing education or for a renewal or reinstatement of the approval shall be:**

- (1) Initial provider approval - \$400.**
- (2) Reinstatement of provider approval - \$400.
- (3) Renewal of approval - \$200.
- (4) Individual review of continuing education offerings - ten (10) dollars.**

Section 3. Fees for Services. (1) The fee for a service shall be:

- (a) Validation of the current status of a temporary work permit, provisional license, license, or credential:
 1. If requested in writing in individual nurse format - fifty (50) dollars.
 2. If requested in writing in list format - fifty (50) dollars for the first name and twenty (20) dollars for each additional name.
- (b) Copy of an examination result or transcript - twenty-five (25) dollars.
- (c) Nursing certificate - thirty (30) dollars.
- (d) Release of NCLEX results to another state board of nursing - seventy-five (75) dollars.
- (2) An applicant for licensure who takes or retakes the licensure examination shall pay:
 - (a) The current examination fee required by the national council of state boards of nursing; and
 - (b) Application for licensure fee pursuant to Section 1 of this administrative regulation.
- (3) A graduate of a foreign school of nursing shall be responsible for:
 - (a) Costs incurred to submit credentials translated into English;
 - (b) Immigration documents; and
 - (c) Other documents needed to verify that the graduate has met Kentucky licensure requirements.

Section 4. An application shall lapse and the fee shall be forfeited if the application is not completed as follows:

- (1) For an application for licensure by endorsement, within six (6) months from the date the application form is filed with the board office.
- (2) For an application for licensure by examination, within one (1) year from the date the application form is filed with the board office.
- (3) For all other applications, except for renewal of license applications, within one (1) year from the date the application form is filed with the board office.

Section 5. An applicant who meets all requirements for approval, licensure, or credential shall be issued the appropriate approval, license, or credential without additional fee.

- Section 6. Fees for Sexual Assault Nurse Examiners. (1) The application fee shall be \$120.
(2) The credential renewal fee shall be thirty-five (35) dollars.
(3) The credential reinstatement fee shall be \$120.

Section 7. A payment for an application fee that is in an incorrect amount shall be returned and the application shall not be posted until the correct fee is received.

Section 8. Bad Transaction Fee. Any transaction, including paper or electronic, submitted to the board for payment of a fee which is returned for nonpayment shall be assessed a bad transaction fee of thirty-five (35) dollars. (33 Ky.R. 1623; eff. 3-1-2007; Am. 36 Ky.R. 527; 780; eff. 10-21-2009; 2071-A; eff. 6-16-2010; 37 Ky.R. 432; 10-20-2010.)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 2 (6) – CE contact hours awarded for refresher courses.
-

201 KAR 20:380. Standards for refresher course approval.

RELATES TO: KRS 314.041, 314.051

STATUTORY AUTHORITY: KRS Chapter 314

NECESSITY, FUNCTION, AND CONFORMITY: It is necessary for the board to develop standards for approval of refresher courses for nurses.

Section 1. Definition.

- (1) "Approved refresher course" means an organized learning experience, designed, planned, and evaluated to meet behavioral objectives designed to: update knowledge of current nursing theory and clinical practice. By design, a refresher course consists of didactic and clinical learning experiences which address current professional entry level competencies by licensure category.
- (2) "Approved" means board recognized.
- (3) "Successful completion" means the participant has satisfactorily met the behavioral objective requirements of the refresher course.

Section 2. Refresher Course Approval Application. An approved refresher course shall comply with the board's administrative standards as stated herein. Using forms supplied by the board, the applicant for approval of a refresher course shall submit evidence of:

- (1) Nurse administrator of refresher course. A nurse, holding a current, active license, with experience in adult and nursing education shall be administratively responsible for the planning, development, implementation, and evaluation of the refresher course. The nurse administrator shall hold a baccalaureate or higher degree in nursing.
- (2) Instructor qualifications. The instructor shall have academic preparation equal to, or greater than, that of the target audience and shall have documented expertise in the subject matter, and experience in presenting content to adult learners and facilitating adult learning.
- (3) Course syllabus. The course syllabus shall include:
 - (a) Course requirements and prerequisites including identification of target audience and fees.
 - (b) Course objectives. The course objectives shall provide statements of observable behaviors, which when taken as a whole, present a clear description of the competencies to be achieved by the learner.
 - (c) Unit objectives. The unit objectives shall be stated in operational/behavioral terms. Each objective shall have corresponding content identified.
 - (d) Content. The content shall be described in outline format with corresponding time frames indicated for each content area. The content shall be related to, and consistent with, the objective.
 - (e) Time frame. The time frame for each topical area shall be identified with the division of time between didactic and clinical learning indicated. The time allotted shall be consistent with objectives and appropriate for the content being presented.
 - (f) Teaching methods. The activities of both teacher and learner shall be specified in relation to content outline. These activities shall be congruent with stated objectives and content, and reflect application of adult learning principles.
 - (g) Evaluation. There are clearly defined methods for evaluating the learner's achievement of each educational objective.
 - (h) Instructional/reference materials. All required instructional materials and reference shall be identified.
- (4) Completion requirements. Requirements for successful completion of the refresher course shall be clearly specified and a statement of policy regarding candidates who fail to successfully complete the refresher course shall be included.
- (5) Course presentation dates. The initial schedule of course presentation dates shall be indicated, and provision shall be made for notifying the board at least two (2) months prior to scheduling on an ongoing basis.
- (6) Contact hour credit for continuing education. Any portion of a refresher course conducted by a board approved provider of continuing education, which the provider identifies as being continuing education, shall be approved for contact hour credit which may be applied to licensure requirements.**
- (7) Clinical practice. The instructor-student ratio for clinical experience shall not exceed 1-12.
- (8) Approval period. Board approval for a refresher course shall be granted for a two (2) year period.

Section 3. Continued Board Approval of a Refresher Course.

- (1) Applications for continued approval of a refresher course shall be submitted at least two (2) months prior to the end of the current biennial approval period.

- (2) A revised course syllabus which reflects an annual updating of course content shall be submitted with the application for continued approval of a refresher course.
- (3) Continued approval shall be based on the past approval period performance and compliance with board standards.
- (4) Refresher course approval awarded by another organization may be recognized by the board as equivalent or comparable, provided the organization's standards and criteria for refresher course approval have been reviewed and accepted by the board.

Section 4. The board may deny, revoke, suspend, or probate the approval status of any refresher course for cause.

Section 5. Appeal. If a refresher course administrator is dissatisfied with a board decision concerning approval and wishes a review of the decision, the following procedure shall be followed:

- (1) A written request for the review must be filed with the board within thirty (30) days after the date of notification of the board action which the refresher course administrator contests.
 - (2) The board, or its designee, shall conduct a review in which the refresher course administrator may appear in person and with counsel if counsel has been retained, to present reasons why the board's decision should be set aside or modified. (14 Ky.R. 667; **eff. 11-6-87.**)
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FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 3 (1) – SANE course approved for contact hours;
- Section 8 (1) through (4) – Renewal of the SANE credential; and
- Section 9 (1,C) -- Reinstatement of the SANE credential.

201 KAR 20:411. Sexual Assault Nurse Examiner Program standards and credential requirements.

RELATES TO: KRS 216B.400(2), 314.142, 314.470, 421.500-421.550

STATUTORY AUTHORITY: KRS 314.131(1), 314.142(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Board of Nursing to promulgate administrative regulations as may be necessary to enable it to carry into effect the provisions of KRS Chapter 314. 314.142(1) requires the board to promulgate administrative regulations to create a Sexual Assault Nurse Examiner Program. This administrative regulation establishes the requirements relating to a sexual assault nurse examiner course and the credentials of a sexual assault nurse examiner.

Section 1. Definition. "SANE course" means a formal, organized course of instruction that is designed to prepare a registered nurse to perform forensic evaluation of a sexual assault victim fourteen (14) years of age or older and to promote and preserve the victim's biological, psychological, and social health.

Section 2. SANE Course Approval Application. On the form "Application for Initial or Continued SANE Course Approval", the applicant for approval of a SANE course shall submit evidence of:

(1) Nurse administrator of SANE course. A registered nurse, with current, active Kentucky licensure or a multistate licensure privilege pursuant to KRS 314.470, a baccalaureate or higher degree in nursing, and experience in adult and nursing education shall be administratively responsible for assessment, planning, development, implementation, and evaluation of the SANE course.

(2) Faculty qualifications. The course shall be taught by multidisciplinary faculty with documented expertise in the subject matter. The name, title, and credentials identifying the educational and professional qualifications for each instructor shall be provided.

(3) Course syllabus. The syllabus shall include:

(a) Course prerequisites, requirements, and fees.

(b) Course outcomes. The outcomes shall provide statements of observable competencies, which if taken as a whole, present a clear description of the entry level behaviors to be achieved by the learner.

(c) Unit objectives. Individual unit objectives shall be stated in operational or behavioral terms with supportive content identified.

(d) Content. The content shall be described in detailed outline format with corresponding lesson plans and time frame. The content shall be related to, and consistent with, the unit objectives, and support achievement of expected course outcomes.

1. The SANE course shall include:

a. A minimum of forty (40) hours of didactic instruction pursuant to subparagraph 3 of this paragraph; and

b. The clinical practice experience required by subparagraph 2 of this paragraph.

2. Clinical practice. The clinical portion of the course shall be a minimum of sixty (60) hours and shall include:

a. Supervised detailed genital inspection, speculum examination, visualization techniques, and equipment - twenty six (26) hours.

b. Supervised mock sexual assault history taking and examination techniques with evaluation - ten (10) hours.

c. Observing relevant civil or criminal trials, meeting with Commonwealth Attorney, or similar legal experience - sixteen (16) hours.

d. Meeting with rape crisis victim advocate or mental health professional with expertise in the treatment of sexual assault individuals - four (4) hours.

e. Meeting with members of law enforcement - four (4) hours.

3. The didactic portion of the course shall include instruction in the following topics related to forensic evaluation of individuals reporting sexual assault:

a. The role and responsibilities of a sexual assault nurse examiner, health care professional, rape crisis, law enforcement, and judicial system personnel;

b. Application of the statewide medical protocol relating to the forensic and medical examination of individuals reporting sexual assault pursuant to KRS 216B.400(2);

c. Principles and techniques of evidence identification, collection, evaluation, preservation and chain of custody;

d. Assessment of injuries, including injuries of forensic significance;

e. Physician consultation and referral;

f. Medicolegal documentation;

g. Victim's bill of rights, KRS 421.500 through 421.550;

h. Crisis intervention;

i. Dynamics of sexual assault;

j. Testifying in court;

k. Overview of the criminal justice system and related legal issues;

l. Available community resources including rape crisis centers;

m. Historical development of forensic nursing conceptual model;

n. Cultural diversity and special populations;

o. Ethics;

p. Genital anatomy, normal variances, and development stages;

q. Health care implications and interventions; and

r. Developing policies and procedures.

(e) Teaching methods. The activities of both instructor and learner shall be specified in relation to content outline. These activities shall be congruent with stated course objectives and content, and reflect application of adult learning principles.

(f) Evaluation. There shall be clearly defined methods for evaluating the learner's achievement of course outcomes. There shall also be a process for annual course evaluation by students, providers, faculty, and administration.

(g) Instructional or reference materials. All required instructional materials and reference materials shall be identified.

(4) Completion requirements. Requirements for successful completion of the SANE course shall be clearly specified and shall include demonstration of clinical competency. A statement of policy regarding a candidate who fails to successfully complete the course shall be included.

Section 3. (1) Contact hour credit for continuing education. The SANE course shall be approved for contact hour credit which may be applied to licensure requirements.

- (2) Approval period. Board approval for a SANE course shall be granted for a four (4) year period.
- (3) Records shall be maintained for a period of five (5) years, including the following:
 - (a) Provider name, date, and site of the course; and
 - (b) Participant roster, with a minimum of names, Social Security numbers, and license numbers.
- (4) A participant shall receive a certificate of completion that documents the following:
 - (a) Name of participant;
 - (b) Title of course, date, and location;
 - (c) Provider's name; and
 - (d) Name and signature of authorized provider representative.

Section 4. Continued Board Approval of a SANE Course. (1) An application for continued approval of a SANE course shall be submitted at least three (3) months prior to the end of the current approval period.

(2) A SANE course syllabus shall be submitted with the "Application for Initial or Continued SANE Course Approval".

(3) Continued approval shall be based on the past approval period performance and compliance with the board standards described in this administrative regulation.

Section 5. The board may deny, revoke, or suspend the approval status of a SANE course for violation of this administrative regulation.

Section 6. Appeal. If a SANE course administrator is dissatisfied with a board decision concerning approval and wishes a review of the decision, the following procedure shall be followed:

- (1) A written request for the review shall be filed with the board within thirty (30) days after the date of notification of the board action which the SANE course administrator contests.
- (2) The board, or its designee, shall conduct a review in which the SANE course administrator may appear in person and with counsel to present reasons why the board's decision should be set aside or modified.

Section 7. Requirements for Sexual Assault Nurse Examiner (SANE) Credential. (1) The applicant for the SANE credential shall:

- (a) Hold a current, active registered nurse license in Kentucky or a multistate licensure privilege pursuant to KRS 314.470;
 - (b) Have completed a board approved SANE educational course or a comparable course. The board or its designee shall evaluate the applicant's course to determine its course comparability. The board or its designee shall advise an applicant if the course is not comparable and specify what additional components shall be completed to allow the applicant to be credentialed;
 - (c) If the applicant has completed a comparable course, complete that portion of a SANE course of at least five (5) hours which shall include those topics specified in Section 2(3)(d)3a, b, c, g, k, and l of this administrative regulation if not included in the comparable course. The Office of the Attorney General may offer in cooperation with a board approved continuing education provider a course of at least five (5) hours to include those topics specified in this paragraph;
 - (d) Complete the "Sexual Assault Nurse Examiner Application for Credential";
 - (e) Pay the fee established in 201 KAR 20:240;
 - (f) Provide a completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card and the fee required by the FBI that is within six (6) months of the date of the application;
 - (g) Provide a report from the Kentucky Administrative Office of the Courts, Courtnet Disposition System that is within six (6) months of the date of the application;
 - (h) Provide a certified copy of the court record of any misdemeanor or felony conviction as required by 201 KAR 20:370, Section 1(3); and
 - (i) Provide a letter of explanation that addresses each conviction, if applicable.
- (2) Upon completion of the application process, the board shall issue the SANE credential for a period ending October 31.

Section 8. Renewal. (1) **To renew the SANE credential for the next period, each sexual assault nurse examiner shall complete at least five (5) contact hours of continuing education related to the role of the sexual assault nurse examiner within each continuing education earning period. A provider of a board approved SANE course may offer continuing education related to the role of the sexual assault nurse examiner.**

(2) Upon completion of the required continuing education, completion of the "SANE Renewal Application" and payment of the fee established in 201 KAR 20:240, the SANE credential shall be renewed at the same time the registered nurse license is renewed.

(3) The five (5) contact hours may count toward the required contact hours of continuing education for renewal of the registered nurse license.

(4) Failure to meet the five (5) contact hour continuing education requirement shall cause the SANE credential to lapse.

Section 9. Reinstatement. (1) If the SANE credential has lapsed for a period of less than four (4) consecutive registered nurse licensure periods, the individual may reinstate the credential by:

- (a) Submitting the "Application for SANE Credential";
 - (b) Paying the fee established in 201 KAR 20:240;
 - (c) Submitting evidence of earning the continuing education requirement for the number of registered nurse licensure periods since the SANE credential lapsed;**
 - (d) Providing a completed Federal Bureau of Investigation (FBI) Applicant Fingerprint Card and the fee required by the FBI that is within six (6) months of the date of the application;
 - (e) Providing a report from the Kentucky Administrative Office of the Courts, Courtnet Disposition System that is within six (6) months of the date of the application;
 - (f) Providing a certified copy of the court record of any misdemeanor or felony conviction as required by 201 KAR 20:370, Section 1(3); and
 - (g) Providing a letter of explanation that addresses each conviction, if applicable.
- (2) If the SANE credential has lapsed for more than four (4) consecutive licensure periods, the nurse shall complete a SANE course prior to reinstatement.

Section 10. The board shall obtain input from the Sexual Assault Response Team Advisory Committee concerning any proposed amendment to this administrative regulation as follows:

(1) The board shall send a draft copy of any proposed amendment to the co-chairs of the Sexual Assault Response Team Advisory Committee prior to adoption by the board;

(2) The board shall request that comments on the proposed amendment be forwarded to the board's designated staff person within ninety (90) days; and

(3) At the conclusion of that time period or upon receipt of comments, whichever is sooner, the board, at its next regularly-scheduled meeting, shall consider the comments.

Section 11. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Application for Initial or Continued SANE Course Approval", 6/97, Kentucky Board of Nursing;

(b) "Sexual Assault Nurse Examiner Application for Credential", 6/2010, Kentucky Board of Nursing;

(c) "SANE Renewal Application", 4/2007, Kentucky Board of Nursing; and

(d) "Annual SANE Credential Renewal Application for RN Compact License", 4/2007, Kentucky Board of Nursing.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222-5172, Monday through Friday, 8:30 a.m. to 4:30 p.m. (24 Ky.R. 425; Am. 859; eff. 10-13-1997; 26 Ky.R. 1443; 1682; eff. 2-16-2000; 29 Ky.R. 2948; eff. 8-13-2003; 30 Ky.R. 1958; eff. 4-12-04; 31 Ky.R. 806; eff. 1-4-2005; 32 Ky.R. 301; eff. 10-19-05; 32 Ky.R. 1921; eff. 7-24-2006; 33 Ky.R. 867; eff. 11-15-2006; 33 Ky.R. 4209; eff. 8-16-2007; 36 Ky.R. 530; 782; eff. 10-21-2009; 1982; eff. 5-7-2010; 37 Ky.R. 436; 10-20-2010.)

FOR INFORMATIONAL PURPOSES, PLEASE SEE:

- Section 2 (b) – Education and training standards.

201 KAR 20:490. Licensed practical nurse intravenous therapy scope of practice.

RELATES TO: KRS 314.011(10)(a), (c)

STATUTORY AUTHORITY: KRS 314.011(10)(c), 314.131(1), 314.011(10)(c)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Board of Nursing to promulgate administrative regulations as may be necessary to enable it to carry into effect the provisions of KRS Chapter 314. KRS 314.011(10)(c) authorizes the board to promulgate an administrative regulation to establish the scope of practice for administering medicine or treatment by a licensed practical nurse, and KRS 314.011(10)(a) requires that licensed practical nurses practice under the direction of a registered nurse, physician, or dentist. This administrative regulation establishes the scope of that practice as it relates to intravenous therapy.

Section 1. Definitions. (1) "Administration" means to initiate and infuse intravenous therapy.

(2) "Antineoplastic agent" means a medication that prevents the development, growth, or proliferation of malignant cells.

(3) "Bolus" means a concentrated medication or solution given rapidly over a short period of time.

(4) "Central venous access device" means a catheter that is inserted in such a manner that the distal tip is located in the superior vena cava, inferior vena cava, or heart, including a peripherally-inserted central catheter and an implanted port.

(5) "Direction" means a communication of a plan of care that is based upon assessment of a patient by an advanced practice registered nurse, a registered nurse, physician, or dentist that establishes the parameters for the provision of care or for the performance of a procedure.

(6) "Discontinuance" means to stop the infusion of the medication or fluid and does not include removal of the intravenous access device.

(7) "Fibrinolytic agent" means a pharmaceutical agent capable of dissolving blood clots.

(8) "Intravenous access device" means either a peripheral access device or a central venous access device.

(9) "Mix" or "mixing" means to combine two (2) or more medications or solutions, and includes reconstituting a powder into a liquid, and diluting a medication or solution.

(10) "Moderate sedation" means the administration of intravenous medications to produce a state that intentionally results in a depressed level of consciousness in a patient.

(11) "Peripheral access device" means a peripherally-inserted intravenous catheter or needle that is less than or equal to three (3) inches in length.

(12) "Pharmacology" means information on the classification of intravenous drugs, indications for use, pharmacological properties, monitoring parameters, contraindications, dosing, clinical mathematics, anticipated side effects, potential complications, antidotal therapy, compatibilities, stabilities, specific considerations for select intravenous drugs, and administration of intravenous medications to pediatric, adult, and geriatric populations.

(13) "Procedural sedation" means the administration of intravenous medications to produce a state that allows a patient to tolerate unpleasant procedures and results in a depressed level of consciousness.

(14) "Push" means administration of medication under pressure via a syringe.

(15) "Supervision" means the provision of guidance by a registered nurse, advanced practice registered nurse, physician or dentist for the accomplishment of a nursing task with periodic observation and evaluation of the performance of the task including validation that the nursing task has been performed in a safe manner.

(16) "Supervisor" means the registered nurse, advanced practice registered nurse, physician or dentist who provides supervision of the licensed practical nurse's practice as defined in subsection (15) of this section.

(17) "Therapeutic phlebotomy" means a clinical procedure whereby blood volume is reduced to achieve a therapeutic outcome.

(18) "Titration" means adjustment of a medication dosage or rate of solution infusion as prescribed within a therapeutic range that is based on the assessment of a patient.

(19) "Vesicant" means an agent capable of causing injury if it escapes from the intended vascular pathway into surrounding tissue.

Section 2. Education and Training Standards. (1) Prior to performing intravenous (IV) therapy, the licensed practical nurse (LPN) shall have completed education and training related to the scope of IV therapy for an LPN. This education and training shall be obtained through:

(a) A preclicensure program of nursing for individuals admitted to the program after the effective date of this administrative regulation; or

(b) An institution, practice setting, or continuing education provider that has in place a written instructional program and a competency validation mechanism that includes a process for evaluation and documentation of an LPN's demonstration of the knowledge, skills, and abilities related to the safe administration of IV therapy. The LPN shall receive and maintain written documentation of completion of the instructional program and competency validation.

(2) The education and training programs recognized in subsection (1) of this section shall be based on "Policies and Procedures for Infusion Nursing" and shall include the following components:

(a) Technology and clinical applications;

(b) Fluid and electrolyte balance;

(c) Pharmacology and vesicants;

(d) Infection control;

(e) Transfusion therapy;

(f) Parenteral nutrition; and

(g) Legal aspects based on KRS Chapter 314 and this administrative regulation.

Section 3. Supervision Requirements. (1) An LPN performing IV therapy procedures shall be under the direction and supervision of a registered nurse (RN), advanced practice registered nurse (APRN), physician, or dentist.

(2) For a patient whose condition is determined by the LPN's supervisor to be stable and predictable, and rapid change is not anticipated, the supervisor may provide supervision of the LPN's provision of IV therapy without being physically present in the immediate vicinity of the LPN, but shall be readily available.

(3) In the following cases, for the LPN to provide IV therapy, the LPN's supervisor shall be physically present in the immediate vicinity of the LPN and immediately available to intervene in the care of the patient:

(a) If a patient's condition is or becomes critical, fluctuating, unstable, or unpredictable;

- (b) If IV medications or fluids are administered by push or bolus administration, except for saline or heparin to maintain patency of an IV access device;
- (c) If a patient has developed signs and symptoms of an IV catheter-related infection, venous thrombosis, or central line catheter occlusion;
- (d) If a patient is receiving blood, blood components, or plasma volume expanders; or
- (e) If a patient is receiving peritoneal dialysis or hemodialysis.

Section 4. Standards of Practice. (1) An LPN shall perform only those IV therapy acts for which the LPN possesses the knowledge, skill, and ability to perform in a safe manner, except as limited by Section 6 of this administrative regulation and under supervision as required by Section 3 of this administrative regulation.

(2) An LPN shall consult with an RN or physician, physician assistant, dentist, or advanced practice registered nurse and seek guidance as needed if:

- (a) The patient's care needs exceed the licensed practical nursing scope of practice;
 - (b) The patient's care needs surpass the LPN's knowledge, skill, or ability; or
 - (c) The patient's condition becomes unstable or imminent assistance is needed.
- (3) An LPN shall obtain instruction and supervision as necessary if implementing new or unfamiliar nursing practices or procedures.
- (4) An LPN shall follow the written, established policies and procedures of the facility that are consistent with KRS Chapter 314.

Section 5. Functions That May Be Performed. An LPN who has met the education and training requirements of Section 2 of this administrative regulation may perform the following IV therapy functions, except as limited by Section 6 of this administrative regulation and under supervision as required by Section 3 of this administrative regulation:

- (1) Calculation and adjustment of the flow rate on all IV infusions;
- (2) Observation and reporting of subjective and objective signs of adverse reactions to any IV administration and initiate appropriate interventions;
- (3) For all IV access devices:
 - (a) Administration of IV fluids and medications via central venous and peripheral access devices as permitted by this Section and prohibited by Section 6 of this administrative regulation;
 - (b) Performance of site care and maintenance that includes:
 1. Monitor access site and infusion equipment;
 2. Change administration set, including add-on device and tubing;
 3. Flushing; and
 4. Change site dressing;
 - (c) Discontinuance of a medication or fluid infusion; and
 - (d) Conversion of a continuous infusion to an intermittent infusion;
- (4) Insertion or removal of a peripheral access device;
- (5) Administration, monitoring, and discontinuance of blood, blood components, and plasma volume expanders;
- (6) Administration of IV medications and fluids that are mixed and labeled by an RN, APRN, physician, dentist, or pharmacist or are commercially prepared;
- (7) Mixing and administration via push or bolus route of any of the following classifications of medications:
 - (a) Analgesics;
 - (b) Antiemetics;
 - (c) The antagonistic agents for analgesics;
 - (d) Diuretics;
 - (e) Corticosteroids; and
 - (f) Saline or heparin to maintain patency of an IV access device;
- (8) Administration of glucose to patients fourteen (14) years of age or older via direct push or bolus route;
- (9) Administration, monitoring, and discontinuance of IV medications and fluids given via a patient controlled administration system;
- (10) Administration, monitoring, and discontinuance of parenteral nutrition and fat emulsion solutions;
- (11) Performance of dialysis treatment, including:
 - (a) Administering Heparin 1:1000 units or less concentration either to prime the pump, initiate treatment, or for administration throughout the treatment, in an amount prescribed by a physician, physician's assistant, or advanced registered nurse practitioner. The licensed practical nurse shall not administer Heparin in concentrations greater than 1:1000; and
 - (b) Administering normal saline via the dialysis machine to correct dialysis-induced hypotension based on the facility's medical protocol. Amounts beyond that established in the facility's medical protocol shall not be administered without direction from a registered nurse or a physician;
- (12) Collection of blood specimens from a peripheral IV access device;
- (13) Removal of a noncoring needle from an implanted venous port;
- (14) Titration of intravenous analgesic medications for hospice patients;
- (15) Administration of peripheral intravenous medications via a volumetric control device;
- (16) Administration of intravenous medications or solutions via a ready-to-mix intravenous solution infusion system; and
- (17) Aspiration of a central venous catheter to confirm patency via positive blood return.

Section 6. Functions that Shall Not be Performed. An LPN shall not perform the following IV therapy functions:

- (1) Administration of tissue plasminogen activators, immunoglobulins, antineoplastic agents, or investigational drugs;
- (2) Accessing of a central venous access device used for hemodynamic monitoring;
- (3) Administration of medications or fluids via arterial lines or implanted arterial ports;
- (4) Administration of medications via push or bolus route except as permitted by Section 5(7) or (8) of this administrative regulation;
- (5) Administration of a fibrinolytic agent to de clot any IV access device;
- (6) Administration of medications requiring titration, except as permitted by Section 5(14) of this administrative regulation;
- (7) Insertion or removal of any IV access device, except as permitted by Section 5(4) or (13) of this administrative regulation;
- (8) Accessing or programming an implanted IV infusion pump;
- (9) Administration of IV medications for the purpose of procedural sedation, moderate sedation, or anesthesia;
- (10) Administration of fluids or medications via an epidural, intrathecal, intraosseous, or umbilical route, or via a ventricular reservoir;
- (11) Administration of medications or fluids via an arteriovenous fistula or graft, except for dialysis;
- (12) Performance of the repair of a central venous access device;
- (13) Mixing of any medications other than those listed in Section 5(7) of this administrative regulation;
- (14) Insertion of noncoring needles into an implanted port; or

- (15) Performance of therapeutic phlebotomy;
- (16) Administration of medications or fluids via a percutaneously or surgically inserted nontunneled, nonimplanted central venous catheter;
- (17) Aspiration of an arterial line;
- (18) Withdrawal of blood specimens via a central venous catheter; or
- (19) Initiation and removal of a peripherally inserted central, midclavicular, or midline catheter.

Section 7. Incorporation by Reference. (1) "Policies and Procedures for Infusion Nursing", Third Edition (2006), Infusion Nurses Society, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky, Monday through Friday, 8 a.m. to 4:30 p.m. (30 Ky.R. 2585; Am. 31 Ky.R. 369; 546; eff. 9-15-2004; 32 Ky.R. 2324; 33 Ky.R. 382; eff. 9-1-2006; 36 Ky.R. 2073-A; 2312; eff. 6-15-2010; TAm eff. 7-15-2010.)