

# ***KBN***

Fall 2016  
Edition 49

# **CONNECTION**

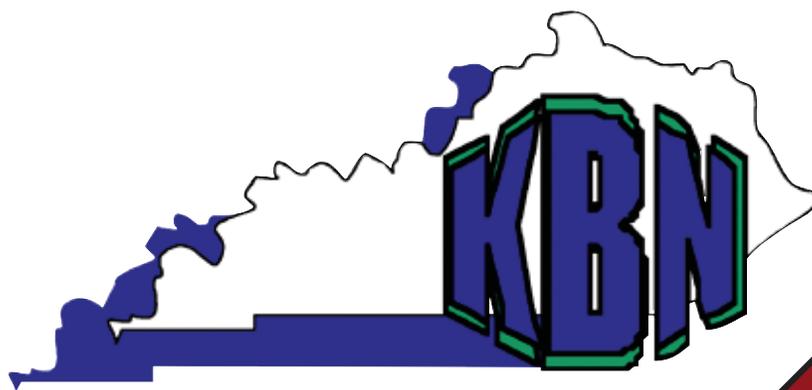
***THIS IS YOUR OFFICIAL LICENSURE RENEWAL NOTICE***

***It is time to renew all nursing licenses and credentials.***

***See pages 14-17 for renewal information.***

***Background checks now required if license lapses.***

## **2016 ANNUAL LICENSE RENEWAL NOTIFICATION**



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# KBN CONNECTION

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The Kentucky Board of Nursing protects the well-being of the public by development and enforcement of state laws governing the safe practice of nursing, nursing education, and credentialing.

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**KBN Connection circulation includes over 85,000 licensed nurses and nursing students in Kentucky.**

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## Statistics Corner

As of September 20, 2016 KBN records show:

**RN Active: 69,754**

**LPN Active: 14,946**

**Advanced Practice**

**Registered Nurses: 6,912**

**Dialysis Technicians Active: 557**

**SANE Active: 256**



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## PRESIDENT'S MESSAGE

The National Council of State Boards of Nursing (NCSBN) is the national organization of which all State Boards of Nursing are members, along with several U.S. Territories. This organization is the developer and owner of the NCLEX test for both RN and LPN as well exams for Medication Aide and Nurse Aide used by some states. Each year the NCSBN holds an annual meeting for its member boards. This year I along with Lewis Perkins, Gail Wise and Michelle Dunn attended the meeting held in Chicago. Michelle and I served as official delegates with Lewis and Gail serving as alternates. It is always interesting to learn that many states have the very same issues that we all struggle with from time to time. In this edition, I am going to high light a few of the many issues that were discussed.

- Unlicensed Assistive Personnel (UAP) especially surrounding how and who is responsible for disciplinary action when warranted. Many states struggle with their use of UAPs.
- The Enhanced Nurse Licensure Compact. There are currently 10 states that have enacted legislation for the Enhanced Compact. The enhanced compact will be very important as more nurses increase their job mobility to other states as well as the national trend toward tele-healthcare. More information about Kentucky's efforts will be forthcoming.
- The increased use of LPN's by acute care facilities nationwide and the ongoing discussions concerning the increased scope of practice. KBN has put together a group of stakeholders to explore the scope of intravenous therapy practice of LPN's. It was interesting that several states were very vocal concerning the need to increase the utilization of LPN's in acute care settings.
- Marijuana Regulatory Guidelines. The NCSBN is soliciting committee members to serve on a national committee to explore the issues related to legalization of both medical and recreational marijuana. As many more states enact legislation regarding the use of marijuana, the KBN will continue the discussion surrounding the protection of the public regarding this issue.
- Kentucky recently updated its nursing regulations. Many states and NCSBN are discussing nursing education outcomes and metrics used to validate nursing educational program outcomes. This has been a struggle for many years to develop a fair and measurable rubric to ensure that we are protecting the public, in this case the student.
- An updated strategic plan and revision of the by-laws were presented and voted on at the Delegate Assembly. The changes were in keeping with a more global and international presence in the area of nursing regulation.
- The new NCLEX-PN test plan was approved and will become effective April 1, 2017.

I hope this very brief overview gave some insight to the many issues confronting your Board of Nursing. I can assure you that all of the members and staff are constantly keeping abreast of changes that will affect the way we regulate the profession and protect the public.

A handwritten signature in black ink that reads "Jimmy T. Isenberg".

Jimmy Isenberg, PhD, RN  
President, Kentucky Board of Nursing



## EXECUTIVE DIRECTOR'S MESSAGE

Dear Colleagues in Nursing and Others,

As you receive this issue of the KBN Connection, we will be in the waning days of the licensure renewal period. As I have stated in previous issues of this newsletter, if you wish to retain the authority to identify yourself as either a licensed practical nurse (LPN), registered nurse (RN) or advanced practice registered nurse (APRN) and/or wish to practice in that capacity, you **MUST** renew your nursing license before midnight on October 31, 2016. Failure to do so and continuing to identify and/or practice as a nurse is considered a violation of the Kentucky Nursing Laws and could subject you to potential disciplinary action against your nursing license. Remember to renew your nursing license by October 31, 2016.

I am pleased to report that ten (10) states have enacted the Enhanced Nurse Licensure Compact (ENLC) during their 2016 legislative sessions. Of our seven (7) border states, three (3) have enacted the ENLC, specifically Tennessee, Virginia and Missouri. As you may be aware, legislation to enact the ENLC in KY did not pass during the 2016 session of the KY General Assembly. Preliminary reports indicate that as many as twenty (20) states will be introducing the ENLC in the 2017 legislative sessions, including KY. Not to be deterred by the ENLC legislative outcome in the immediate past session of the General Assembly, the National Council of State Boards of Nursing (NCSBN) is assisting KBN by carrying forward and advocating for this proposed legislation in the 2017 session of the General Assembly. This effort will require support from all KY nursing and healthcare organizations as

well as individual nurses! If you would like to learn more about the ENLC, follow the legislative progress in KY and other states or take action by contacting your legislators, please go to this website: <https://www.nursecompact.com/>.

The 2016 NCSBN Annual Delegate Assembly was held August 17-19 in Chicago, IL. On behalf of nursing regulation in the Commonwealth, several Board members and staff attended this meeting during which the Delegate Assembly took several significant actions including, but not limited to, adoption of the 2017 NCLEX-PN Test Plan; approved amendments to the NCSBN bylaws, approved the 2017-2019 Strategic Initiatives and elected new members of the NCSBN Board of Directors and Leadership Succession Committee.

On behalf of Board members and staff, appreciation is expressed to Nathan Goldman, JD, KBN General Counsel, for his service as Director at Large for two terms on the NCSBN Board of Directors. Mr. Goldman, as a Director at Large, represented KY in an exemplary manner and provided sage and erudite counsel to NCSBN in its mission to provide regulatory excellence for public safety, health and welfare. Thank you, Nathan!

With best regards!

Paula Schenk, MPH, RN  
Executive Director

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# CONTINUING COMPETENCY FAQs

By **Beth A. Tanner**, Continuing Competency Program Coordinator

**Q: What are the dates of the CE earning period for renewal of my nursing license?**

A: Nurses are required to earn 14 contact hours or the equivalent within the yearly earning period of November 1st through October 31st. You may wish to view the CE brochure available on the CE/Competency page of the KBN website ([www.kbn.ky.gov](http://www.kbn.ky.gov)) for additional information regarding the different ways to demonstrate continuing competency.

**Q: I am an Advanced Practice Registered Nurse (APRN) in Kentucky. Are there any specific CE requirements for my APRN renewal?**

A: APRNs are required to earn five contact hours of approved CE in pharmacology each licensure period.

The licensure earning period is November 1st through October 31st. In 2008, the regulation was amended to reflect that pharmacology CE contact hours can be earned from any provider that is recognized by your APRN accrediting body. It is the responsibility of the individual APRN to contact the certifying body for a complete and up-to-date list of recognized providers for their organization.

APRNs with a CAPA-CS are required to earn 1.5 approved CE contact hours on the use of KASPER, pain management or addiction disorders. These hours may count as part of the required five pharmacology contact hours.

**Q: Are SANE-credentialed nurses required to earn specific CE contact hours in addition to the required 14 contact hours for RN renewal?**

A: SANE-credentialed nurses are required to earn five contact

hours of approved sexual assault CE (forensic medicine or domestic violence CE will meet this requirement). These hours count as part of the required 14 contact hours for RN renewal.

**Q: If I am no longer employed as a nurse and do not plan to work as a nurse, but want to renew my nursing license do I need to complete nursing CE?**

A: Yes. If you plan to renew your nursing license you must complete the required 14 contact hours of continuing education on or before October 31<sup>st</sup>. Completion of CE is required each earning period in order to renew your nursing license; it has nothing to do with the status of your employment.

**Q: I am a relatively new graduate. I am required to renew my nursing license for the first time by October 31st, 2016. Since this is my first renewal am I exempt from earning CE hours for this renewal?**

A: No. You are not exempt from earning CE hours for your first-time renewal. All nurses required to renew their license must also complete 14 approved CE contact hours or the equivalent within the earning period of Nov. 1<sup>st</sup>, 2015 through Oct. 31st, 2016. There is no exemption for first-time renewal.

**Q: What will happen if I am audited, and I do not have the required contact hours?**

A: You will be asked to earn the required hours and submit copies of the CE certificates to KBN along with a letter of explanation as to why these hours were earned late. Once this documentation is received and accepted by KBN, you will be allowed to enter into a Consent Decree with KBN and pay the

required fine. If you do not earn the late hours and/or pay the fine, your records and audit response will be forwarded to the Investigation Branch for initiation of disciplinary action.

**Q: I understand Kentucky nurses are required to complete a CE course in Pediatric Abusive Head Trauma. Please give me information about this requirement.**

A: All nurses licensed as of July 15, 2010 must earn 1.5 CE contact hours in Pediatric Abusive Head Trauma (Shaken Baby Syndrome). Nurses must complete this earning within 3 years of their initial licensure date in the state of Kentucky. This one-time only requirement is included as part of the nursing curriculum for nurses graduating from a Kentucky Program of Nursing as of December 2011.

**Q: I understand Kentucky nurses are required to complete a CE course in Domestic Violence. Please give me information about this requirement.**

A: All nurses licensed in the state of Kentucky must earn 3 CE contact hours in Domestic Violence within 3 years of their initial licensure date. This one-time only requirement is included as part of the nursing curriculum for nurses graduating from a Kentucky Program of Nursing as of May 1998.

**Q: I understand there have been some changes in the HIV/AIDS CE requirements. How many HIV/AIDS contact hours must I earn, and what is the earning period?**

A: Effective June 24, 2015, earning contact hours for HIV/AIDS content is no longer required.

**Q: I understand that I can use my national nursing certification for the required 14 contact hours of CE. Is this correct?**

A: If you have a national nursing certification or recertification related to your practice role that is in effect the whole earning period or earned initially this period, it will count for the required 14 contact hours for Kentucky licensure. NOTE: In addition to the national nursing certification, APRNs are required to earn five approved contact hours in pharmacology each earning period. APRNs with a CAPA-CS are required to earn 1.5 approved CE contact hours on the use of KASPER, pain management, or addiction disorders.

These hours may count as part of the required pharmacology hours.

**Q: Is it true that I can use an employment evaluation for part of my CE contact hours?**

A: Yes. A satisfactory employment evaluation for your position as a nurse, that covers at least six months of the earning period, can be used for seven contact hours towards your CE requirement. In order to meet the required 14 contact hours needed for renewal, you must also earn the other seven contact hours. Other acceptable ways to earn your CE contact hours can be found online ([www.kbn.ky.gov/ce](http://www.kbn.ky.gov/ce)) under "Licensure Renewal Requirements."

**Q: Do college courses count as CE hours?**

A: Academic courses in nursing and health care, or social or physical sciences beyond the

prelicensure curriculum of your license will count toward your CE requirement. One semester credit hour equals 15 contact hours. One quarter credit hour equals 12 contact hours. You must achieve a grade of "C" or better, or a 'pass' on a pass-fail grading system. These courses count as CE for the earning period in which the course was completed.

**Q: Can a nurse substitute CME credits for nursing contact hours?**

A: CME credits do not automatically transfer to contact hours. If you wish to earn contact hours for a course that awarded CME credit, you will need to go to the KBN CE Web page ([www.kbn.ky.gov/ce/](http://www.kbn.ky.gov/ce/)) under "CE Forms and Publications," and submit an "Individual Request for Review of CE Activities." APRNs are allowed to use CME credits for pharmacology continuing education if the provider offering the course is recognized by their national certifying organization.

**Q: I am required to take a class in CPR where I work. Will this CPR class count toward my CE requirement?**

A: No. CPR and BLS classes, as well as in-service education and nurse aide training, do not count as CE hours.

**Q: Will ACLS and PALS courses count toward my CE requirement?**

A: If an approved provider offers the ACLS or PALS courses, the contact hours earned will be accepted by KBN. See the list of national nursing organizations recognized by KBN for continuing education offerings on the KBN website ([www.kbn.ky.gov/ce](http://www.kbn.ky.gov/ce)).

**Q: Where can I find a list of approved CE providers?**

A: You can print a copy of the KBN approved provider list from the KBN website ([www.kbn.ky.gov](http://www.kbn.ky.gov)) under "CE Forms and Publications." In addition, a list of National Nursing Organizations recognized by KBN for continuing education is also provided on the KBN website. If a provider approved by one of these organizations offers a course you wish to take, that course will be accepted by KBN for the same number of contact hours.

**Q: I was selected for the CE audit last year. I have friends that have been in nursing for many years but have never been selected. Why did I receive an audit letter and they did not?**

A: Nurses receiving CE audit letters are chosen by random selection. The number of years one has been in nursing has nothing to do with the selection process.

**Q: My friend refers to the continuing education hours she earns as CEUs. I notice that you refer to them as contact hours. What is the difference between a CEU and a contact hour?**

A: Contact hours refer to the stated amount of time an individual was present during a course. One contact hour is equal 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. Kentucky and most nursing continuing education providers require offerings to be determined in contact hours.

**Q: I have attended a CE course that is not offered by an approved CE provider. How can I get credit for these hours?**

A: You may wish to submit an "Individual Request for Review of CE Activities," ([www.kbn.ky.gov/ce/](http://www.kbn.ky.gov/ce/)) under "CE Forms and Publications," to KBN requesting contact hours for this course. There is a non-refundable charge of \$10 for the review. Once submitted, your application will be reviewed and, if approved, the appropriate number of contact hours will be awarded. Applications must be submitted no later than November 30th of the licensure year.

**Q: Are CE hours earned on the internet acceptable for licensure in Kentucky? If so, how many of the required 14 hours can be earned on the internet?**

A: Internet CE courses are acceptable if offered by an approved CE provider. All 14 contact hours or any combination of the contact hours may be from internet providers.

**Q: I have earned more CE contact hours this earning period than I need. Can these contact hours be used for my next renewal?**

A: No. CE contact hours cannot be carried over to the next earning period. All 14 contact hours must be earned within the specified earning period (November 1st - October 31st).

**Q: Does KBN have a record of the CE hours I have earned?**

A: No. KBN does not keep track of each nurse's CE contact hours. Nurses must retain records of their CE/competency for at least five years following a licensure period. It is the

responsibility of the CE provider to see that the nurse receives a certificate of completion, but the provider does not send a copy of the certificate of completion to the KBN. You are not required to submit CE certificates to KBN unless requested to do so.

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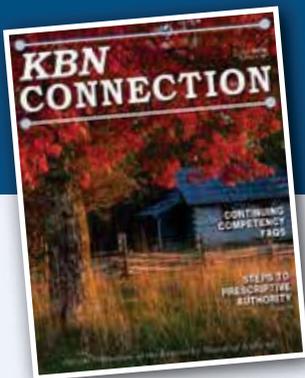
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## THIS IS YOUR OFFICIAL RENEWAL NOTIFICATION. 2016 RENEWAL INFORMATION

**BEGINS:** September 15,  
2016 at 12:01 a.m.  
**ENDS:** Midnight October  
31, 2016, Eastern Time  
**RENEWAL WEB ADDRESS:**  
[kbn.ky.gov/Pages/renewal.aspx](http://kbn.ky.gov/Pages/renewal.aspx)

**NOTIFICATION OF RENEWAL:** When your license has been renewed you will receive an email notification to the email address you listed with KBN. You can also validate the expiration date of your license at [www.kbn.ky.gov](http://www.kbn.ky.gov)

Clicking on the submit button at the end of the renewal application does not renew your license.

Validate that your license was renewed from this site:  
<http://kbn.ky.gov/onlinesrvs/bulkvalidation/>

**RENEWAL FEES:** Print the confirmation page for your record of payment for your license renewal.

RN: \$65

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APRN: \$55 for each designation  
(Plus \$65 for the RN license)

SANE: \$35

Clicking on the “submit” button at the end of the renewal process is an attestation that you have or will have met the continuing competency requirements by midnight, October 31. Your license is NOT renewed when you click on the submit button.

### LAST DAY OF RENEWAL

A license that is not renewed

before 4:30 p.m. on October 31 will lapse at midnight on that date. Working on a lapsed license is a violation of Kentucky Nursing Law and subjects the individual to disciplinary action.

If an application is received before midnight on October 31st and an individual answers “No” to the disciplinary and conviction questions, a license MAY be renewed by noon on the next business day.

### REQUIRED RENEWAL DOCUMENTATION

If you answered “yes” to the discipline, criminal, and/or the APRN national certification revocation questions, your license will not be renewed until KBN receives and reviews the required documents. If your license has not been renewed before midnight, Eastern Time, October 31, your license will lapse. You cannot practice as a nurse in Kentucky if your license has lapsed.

Required documentation includes:

- Certified court records and letters of explanation, if you answer “yes” to the criminal activity question
- Board certified orders and letters of explanation, if you answer “yes” to the disciplinary question
- Documentation from your APRN national certification organization, if you answer “yes,” that your national certification was revoked or issued on a provisional or

conditional status

- Other documentation requested by KBN staff.

### NURSE LICENSURE COMPACT AND KENTUCKY LICENSE RENEWAL

If your primary state of residence is another compact state and you do not practice ONLY in a military/federal facility, you will not be able to renew your Kentucky RN or LPN license.

### APRN RENEWAL

If you do not intend to practice as an APRN and want to relinquish your APRN license (allow it to expire) but do want to renew your RN license, access the RN/APRN renewal application. There will be a drop down selection for you to renew only your RN license.

If your national certification has expired, you will not be able to renew your APRN license(s). You cannot practice as an APRN in Kentucky with an expired national certification.

To renew your APRN license in only one designation and your Kentucky RN license, you MUST use the RN-APRN link on the renewal web page (<http://kbn.ky.gov/renewal/default>). From this link, you will renew your RN and APRN licenses simultaneously, for the combined fee of \$120 (RN-\$65 and APRN-\$55).

To renew your APRN license in more than one designation

and your Kentucky RN license, use the link listed above and select each designation that you want to renew by clicking on the appropriate radio button. The fee for renewing each APRN designation is \$55 per designation, plus the \$65 RN renewal fee. You must maintain current national certification in each designation.

If your primary residence is in a compact state and you hold a current RN multistate license in that state, you must use the “APRN Renewal Only (with RN license in another compact state)” link. You must provide the name of the state and the expiration date of your multistate RN license before you will be able to renew your Kentucky APRN license. You must keep your multistate RN license active in the state of your primary residence while you are practicing as an APRN in Kentucky. If your compact RN license and/or your national certification lapse, you may not practice as an APRN in Kentucky.

If an APRN holds both KY RN & APRN licenses or an APRN license only and the nurse is prescribing controlled substances, the nurse needs to:

- Maintain current national certification,
- Earn 3.5 hours in pharmacology, and
- Earn 1.5 hours in Pediatric Head Abuse Trauma (if previously earned, you will need to earn a total of 5 hours in pharmacology)

For APRN CE/Continuing Competency requirements for licensure renewal, please see page 10.

**DO NOT** submit evidence of continuing competency earnings unless requested to do so. For questions about the APRN continuing competency requirement, e-mail Beth Tanner at [BethA.Tanner@ky.gov](mailto:BethA.Tanner@ky.gov).

Current national certification from a Board recognized national certification organization in addition to current APRN and RN licensure is required to practice as an APRN in Kentucky. If your national certification lapses for any period of time while your APRN license is current, you may not practice as an APRN during the period of lapsed certification. KBN does not give a grace period for lapsed national certification.

#### **APRN POPULATION FOCI OF ONCOLOGY AND CRITICAL CARE**

APRNs holding a current license with a population focus in oncology or critical care who fail to renew their APRN license in those foci will be unable to reinstate.

#### **SANE RENEWAL**

Before you will be able to renew your SANE credential, you must renew your RN license. When you have completed that process, proceed to the SANE link to renew your SANE credential. If you are a SANE and an APRN, renew your RN-APRN first (see previous information) and then renew your SANE credential from the SANE link.

If your primary residence is in a compact state, you must provide the state name and the expiration date of the multistate RN license you hold before

you will be able to renew your Kentucky SANE credential. You must keep your multistate RN license active in the state of your primary residence during the period of time that you practice as a SANE in Kentucky. If your multistate RN license lapses, you may not practice as a SANE in Kentucky, even though your Kentucky SANE credential is current.

All Sexual Assault Nurse Examiners must complete 5 continuing education hours related to the role of the sexual assault nurse examiner as part of the continuing competency requirement for renewal. **DO NOT** submit evidence of continuing competency earnings unless requested to do so. For questions about the SANE continuing competency requirement, Beth Tanner at [BethA.Tanner@ky.gov](mailto:BethA.Tanner@ky.gov).

#### **FAILURE TO RENEW**

If you fail to renew by midnight, Eastern Time, October 31, or you fail to submit all requirements for renewal, you will be required to reinstate your license.

Before a license will be reinstated, KBN must receive:

- A reinstatement application and fee
- Kentucky criminal history report (in all surnames you have ever used) from the Administrative Office of the Courts
- Federal background report from the FBI obtained via fingerprinting
- Continuing Competency Requirements

#### **ACTIVE DUTY MILITARY NURSES**

KRS 36.450 and KRS 12.355

require KBN, upon request of an active duty military licensee and with the appropriate military documentation, to renew the license without the required renewal fee and continuing competency requirement.

The waiving of the renewal fee and continuing competency requirement does not restrict the license in any way. It is still considered full licensure.

Active duty military includes those nurses who are based state-side or deployed overseas. Not included in these groups are individuals working for the Federal government, such as civilian VA nurses, public health nurses employed by the federal government, or National Guard nurses who are not on full, active duty.

KBN must receive one of the following before the license of active duty military nurses will be renewed:

PCS Orders  
AF Form 899  
Mobilization Orders

You must complete the online renewal application in addition to providing copies of one of the above documents. Copies of the above may be faxed to 502-429-3336 or emailed to Ruby.King@ky.gov.

If you are a military nurse and are stationed state-side, you must renew your license during the renewal period and provide the documentation listed above. If you fail to provide the documentation and/or fail to submit the renewal application prior to October 31, you will have to meet all the requirements for reinstatement of a license(s).

If you are a military nurse and will be deployed overseas during the renewal period, you have two options:

- Submit a copy of the official overseas deployment orders showing a return date to KBN. Your license will be renewed to reflect an expiration date through the renewal period that corresponds with your deployment orders. You are not required to submit a fee, and you are exempt from meeting the continuing competency requirement.
- Do nothing until you are reassigned to the USA. You will have 90 days after your return to request the renewal of your license. You must submit a copy of the orders you receive for your reassignment to the United States. You will not be required to pay the renewal fee, and you will be exempt from meeting the continuing competency requirement.

## APRN NEWS

### INVALIDATING AN APRN LICENSE

If KBN records reflect that an APRN's national certification has expired and the APRN fails to provide evidence of current certification/recertification, KBN will invalidate the APRN license. When the license is invalidated, the APRN may not practice in the advanced practice role. This does not affect the RN license, nor is it considered disciplinary action. An APRN whose license is invalidated for failure to provide evidence of current certification may reinstate the APRN license by meeting all of the requirements for reinstatement.

## NATIONAL CERTIFICATION IN DUAL POPULATION FOCI

With the assistance of our Information Technology staff, KBN is now able to record the national certification information for those APRNs holding certification in two population foci. To practice in either or both areas, the national certification of each must be current. If the certification of both foci expires, the APRN license will be invalidated and the APRN must reinstate one or both foci. If the national certification of one population focus expires, the APRN may only practice in the focus area of the unexpired certification.

## PRESCRIPTIVE AUTHORITY OF CONTROLLED SUBSTANCES

KBN now requires all APRNs holding a current CAPA-CS agreement to submit a copy of any and all DEA license held. If an APRN is prescribing controlled substances, they must have a Notification of a CAPA-CS on file with KBN, a KY DEA license, and a master KASPER account.

To determine if KBN has a copy of the Notification of a CAPA-CS or DEA license on file, you may go to the KBN web site and validate your license. If the Notification of a CAPA-CS has been received at KBN, the validation will note, "KBN has been notified that this APRN has entered into a Collaborative Agreement for Prescriptive Authority for Controlled Substances (CAPA-CS)." If this message does not appear and you have a current CAPA-CS agreement, you must provide a copy of the Notification of a CAPA-CS form to KBN. If the DEA license has been received at KBN, the validation will note, "DEA