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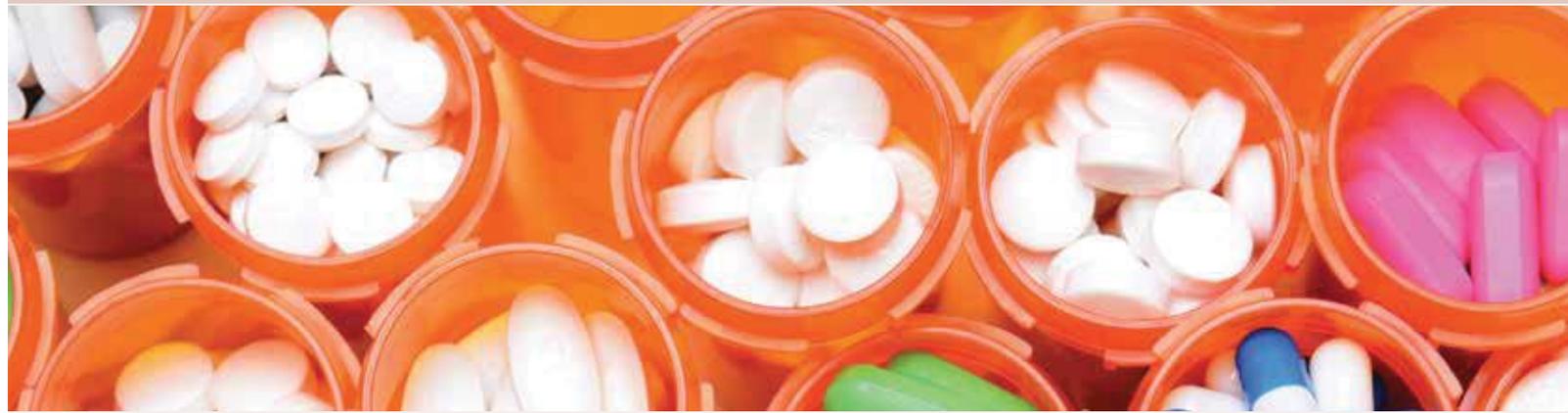
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DRUG RELATED DEATHS IN KENTUCKY

Patricia Y. Smith, RN, KARE for Nurses Program Manager



Most Frequently Detected Drugs in Blood of Drug Related Deaths

Drug	2008	2009	2010	2011	2012	2013	2014
Alprazolam	69	207	250	286	300	251	213
Oxycodone	102	169	208	213	177	144	152
Methadone	144	117	107	112	103	N/A	N/A
Diazepam	47	81	83	108	84	N/A	N/A
Alcohol	51	80	68	134	274	182	224
Hydrocodone	86	67	148	187	190	179	167
*Morphine	46	56	85	99	235	314	325
Fentanyl	39	44	44	48	N/A	N/A	116
Cannabinoids	N/A	34	N/A	N/A	N/A	152	284
Cocaine	50	32	23	31	N/A	N/A	90
Nordiazepam	N/A	21	N/A	N/A	N/A	N/A	126
Heroin	N/A	5	N/A	22	143	230	229
Oxymorphone	N/A	N/A	24	154	128	N/A	122
Methamphetamine	N/A	N/A	11	21	N/A	N/A	N/A
Clonazepam	N/A	N/A	N/A	53	55	N/A	N/A
Codeine	N/A	N/A	N/A	20	132	221	193
Hydromorphone	N/A	N/A	N/A	26	83	136	178
7-Aminoclonazepam	N/A	N/A	N/A	N/A	82	105	138
oxazepam	N/A	N/A	N/A	N/A	N/A	N/A	103
6-monoacetylmorphine (metabolite of Heroin)	N/A	N/A	N/A	N/A	N/A	N/A	229
A-OH-Alprazolam	N/A	N/A	N/A	N/A	N/A	N/A	132
Gabapentin	N/A	N/A	N/A	N/A	N/A	N/A	121

*Morphine represents true drug and/or metabolite of Heroin

Source: Kentucky Office of the Medical Examiner

As we review the issue of substance use and abuse, we need to be aware of the changing use of drugs (legal and illegal) and how they have impacted the Commonwealth. The 2014 report from the Kentucky Office of the Medical Examiner revealed that accidents were the cause of death in 42.01% of the cases. Of the deaths caused by accidents 59.29% were drug related. Of the drug related deaths 77.86% were accidental. We have all read the articles related to heroin and the concern of its resurgence in the Commonwealth, but opiates and benzodiazepines are still contributing factors to accidental deaths. Cannabinoids (marijuana) have increasingly contributed to deaths over the last two (2) years. Frequently the marijuana has been laced with other drugs.

This is an opportunity to remind all nurses whether assessing and/or prescribing to ask questions about all drugs (legal or illegal) as well as alcohol use when taking a patient history. We can utilize the CAGE (Cut down, Annoyed, Guilty, Eye-opener) and/or CAGE-AID questions to elicit responses that will be needed for assessing if the patient might be at risk. You can obtain these tools from the National Institute on Drug Abuse (NIDA).

As you review the table, be aware that more than one (1) drug may be present in many decedents.



Fact:

Knowing if you have HPV—especially the most dangerous strains, HPV types 16 and 18—can help protect you from developing cervical cancer.

If you are 30 or older, ask your health care provider about getting an HPV test with your Pap test. Learn more at www.healthywomen.org/hpv.

This resource was created with support from Roche Diagnostics Corporation.



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Kentucky Board of Nursing Program of Nursing Approval Status

- **Developmental:** The designation granted to a proposed program of nursing to continue development of plans for implementation.
- **Initial:** The designation granted to a new program of nursing upon admission of the first class.
- **Full:** The designation granted to program of nursing that is in compliance.
- **Monitoring:** The designation granted to a program of nursing that has achieved full approval status and fails to meet one (1) or more of the standards of the Kentucky Administrative Regulations that govern the program including achieving the pass rate.
- **Conditional:** The designation granted to a program if one or more of the standards in the regulations have not been met.
- **Probational:** The designation granted to a program of nursing if one or more standards have continued to be unmet. Programs on Probational Status cannot admit new students.

As of 10/15/2015 Program of Nursing

DNP/APRN

Eastern Kentucky University	Full
Frontier Nursing University	Full
Kentucky State University	Initial
Murray State University	Full
University of Kentucky	Full
University of Louisville	Developmental
Western Kentucky University	Full

Master's Degree Nursing leading to APRN

Bellarmine University	Full
Eastern Kentucky University	Full
Frontier Nursing University	Full
Indiana Wesleyan University	Full
Kentucky Christian University	Developmental
Murray State University	Full
Northern Kentucky University	Full
Spalding University	Full
University of Louisville	Full
University of the Cumberlands	Developmental
Western Kentucky University	Full

Prelicensure Registered Nurse and Practical Nurse Programs

Baccalaureate Degree Nursing

Bellarmine University	Full
Berea College	Full
Eastern Kentucky University	Full
Kentucky Christian University	Monitoring
Lindsey Wilson College	Monitoring
Morehead State University	Full
Murray State University	Monitoring
Northern Kentucky University	Full
Spalding University	Monitoring
Thomas More College	Full
Union College	Initial
University of Kentucky	Full
University of Louisville	Full
University of Louisville - Owensboro	Full
Western Kentucky University	Full

Associate Degree Nursing

American National University	Monitoring
Ashland Community & Technical College	Conditional
Beckfield College	Conditional
Big Sandy Community & Technical College	Monitoring
Bluegrass Community & Technical College - Lexington/Cooper (Main)	Full
Bluegrass Community & Technical College - Lawrenceburg	Full
Campbellsville University	Monitoring
Daymar College	Conditional
Eastern Kentucky University	Monitoring
Elizabethtown Community & Technical College	Full
Galen College of Nursing	Full
Gateway Community & Technical College	Full
Hazard Community & Technical College - Hazard (Main)	Conditional
Hazard Community & Technical College - Lees Campus/Jackson	Full
Henderson Community College	Full
Hopkinsville Community College	Full
ITT Technical Institute - Lexington	Initial

ITT Technical Institute - Louisville	Monitoring
Jefferson Community & Technical College	Monitoring
KCTCS Online Learn on Demand	Conditional
Kentucky State University	Monitoring
Lincoln Memorial University - Corbin Campus	Full
Madisonville Community College	Full
Maysville Community & Technical College (Main)	Full
Maysville Community & Technical College - Cynthiana/Licking Valley	Conditional
Midway University	Full
Morehead State University (Main)	Monitoring
Morehead State University - Mt. Sterling	Monitoring
Owensboro Community & Technical College	Full
Somerset Community College (Main)	Full
Somerset Community College - Laurel/London	Full
Southcentral Kentucky Community & Technical College - Bowling Green	Full
Southcentral Kentucky Community & Technical College - Glasgow	Full
Southeast Kentucky Community & Technical College (Main)	Full
Southeast Kentucky Community & Technical College - Pineville	Monitoring
Spencerian College	Monitoring
St. Catharine College	Conditional
University of Pikeville	Monitoring
West Kentucky Community & Technical College	Full
Western Kentucky University (Main)	Monitoring
Western Kentucky University - Glasgow	Monitoring

Practical Nursing

Ashland Cmty. & Technical College - Roberts Drive	Monitoring
ATA College	Full
Beckfield College	Monitoring
Big Sandy Community & Technical College - Mayo/Paintsville	Full
Bluegrass Community & Technical College - Leestown/Lexington (Main)	Full
Bluegrass Community & Technical College - Danville	Full
Brown Mackie College - Louisville	Full
Brown Mackie College - Northern Kentucky	Full
Elizabethtown Community & Technical College	Full
Galen College of Nursing	Full
Hazard Community & Technical College	Full
Henderson Community College	Full
Hopkinsville Community College	Full
Jefferson Community & Technical College (Main)	Full
Jefferson Community & Technical College - Carrollton	Full
Jefferson Community & Technical College - Shelbyville	Full
Madisonville Community College	Full
Maysville Community & Technical College	Monitoring
Maysville Community & Technical College - Rowan/Morehead (Main)	Full
Maysville Community & Technical College - Licking Valley/Cynthiana	Full
Maysville Community & Technical College - Montgomery/Mt. Sterling	Full
Somerset Community College (Main)	Full
Somerset Community College - Clinton Center/Albany	Full
Somerset Community College - Laurel Campus/London	Full
Southcentral Kentucky Community & Technical College - Glasgow (Main)	Full
Southcentral Kentucky Community & Technical College - Bowling Green	Full
Southeast Kentucky Community & Technical College	Full
Spencerian College	Full
West Kentucky Community & Technical College (Main)	Full
West Kentucky Community & Technical College - Murray	Full

Note: Only Pre-Licensure PN, RN and APRN programs are listed here. Other MSN and DNP programs are taught in Kentucky but are not listed.

HIGHLIGHTS OF BOARD ACTIONS

PRESIDENT'S REPORT

The Kentucky Board of Nursing President and Executive Director attended a workshop sponsored by the Governor's Office of Boards and Commissions including presentations from the Ethics Commission; Commonwealth Office of Technology; Office of State Budget Director; and the Attorney General's office. A future Board in-service will be planned to include ethics training.

FINANCIAL OFFICER'S REPORT

The Financial Officer report for the current FY 2016 budget as well as the 2017-2018 biennial budget request were presented. The information was discussed and accepted.

EXECUTIVE DIRECTOR'S REPORT

The written Report of the Executive Director was presented and included information on Administrative Staff; Telehealth Board Meeting – June 15, 2015 and September 21, 2015; Strategic Plan Updates; Legal Matters; Administrative Regulation Information; License, Registration and Credential Statistical Reports; Investigation & Discipline Case Timeline; Investigation & Discipline Data; Sex Offender Registry; Presentations and Conferences Report; approved Agreed Orders, Consent Decrees, and Removals from Probation. The report was accepted.

EDUCATION COMMITTEE

The September 17, 2015 Education Committee Meeting Report was presented. The Report was accepted and the following actions were taken:

- Approved the Education Committee Scope and Functions Statement.
- Approved the Education Committee Objectives for 2015-2016.
- Approved the request to increase enrollment in the Practical Nursing Programs Bluegrass Community and Technical College, Leestown and Danville Campuses submitted on April 14, 2015, by Susan Hayes, Assistant Dean, Lexington, KY.

Ashland C&TC – ADN Program, Site Visit Report, April 22 & 23, 2015

- Accepted the April 22 & 23, 2015 Site

Visit Report of Ashland Community & Technical College Associate Degree Nursing Program, Ashland, KY.

- Directed that Ashland Community and Technical College Associate Degree Nursing Program, Ashland, KY, remain on Conditional Approval Status since it meets the regulatory requirements of 201 KAR 20:260-360,

and with the understanding that the programmatic changes that were fully implemented in 2014 may not be realized until 2016.

Beckfield College – ADN Program, Site Visit Report, May 11 & 12, 2015 & Response Dated August 7, 2015

- Accepted the May 11 & 12, 2015 Site Visit Report of Beckfield College

SEE PAGE 9 FOR APPROVAL STATUS



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Associate Degree Nursing Program, Florence, KY.

- Approved the requirements in the May 11 & 12, 2015 Site Visit Report of Beckfield College Associate Degree Nursing Program.
- Directed that a site visit be conducted in the spring of 2016, to ensure sufficient resources are available to meet program outcomes for implementation of the revised curriculum and 2015 admission of an additional cohort.
- Directed that the Beckfield College Associate Degree Nursing Program remain on Conditional Approval Status pending the receipt of the 2016 Site Visit Report and 2015 NCLEX-RN Pass Rate.

Daymar College – ADN Program, Site Visit Report, June 8 & 9, 2015

- Accepted the June 8 & 9, 2015 Site Visit Report of Daymar College Associate Degree Nursing Program, Owensboro, KY
- Approved the Requirements in the June 8 & 9, 2015 Site Visit Report of Daymar College Associate Degree Nursing Program.
- Directed that the Daymar College Associate Degree Nursing Program, Owensboro, KY, remain on Conditional Approval Status.

Jefferson C&TC – PN Program, Site Visit Report, April 28 & 29, 2015

- Accepted the April 28 & 29, 2015 Site Visit Report of Jefferson Community & Technical College Practical Nursing Program, Louisville, KY.
- Approved the Requirements to be Met as stated in the April 28 & 29, 2015 Site Visit Report of Jefferson C&TC Practical Nursing Program, Louisville, KY.
- Directed that Full Approval Status be continued by the Jefferson Community & Technical College Practical Nursing Program, Louisville, KY.

Graduate Program Proposal – University of the Cumberland – MSN/APRN, Family Nurse Practitioner

- Accepted the September 8, 2015, staff report for the University of the Cumberland, Williamsburg, KY, to establish a new MSN/APRN, Family Nurse Practitioner.
- Approved the Requirements to be Met as stated in the September 8, 2015, staff report, by the University

of the Cumberland, Williamsburg, KY.

- Directed that requirements of 201 KAR 20:260 and 201 KAR 20:062 be fully met to ensure continued regulatory compliance.
- Granted Developmental Approval to the University of the Cumberland, Williamsburg, KY, new MSN/APRN, Family Nurse Practitioner Program.

PRACTICE COMMITTEE

The September 18, 2015 Practice Committee Meeting Report was presented. The Board accepted the report and the following actions were taken:

AOS #32 Administration of Medications for Procedural Sedation and Analgesia by Nurses

- Due to additional information received prior to the Board Meeting, the proposed revision to AOS #32, Administration of Medications for Procedural Sedation and Analgesia by Nurses was referred back to Practice Committee for review.

Review of Legal Opinion “Jurisdiction of Out of State Nurses Telephoning Into the State”

- Approved an interpretive statement regarding telehealth licensure requirements as follows:
- The Kentucky Board of Nursing interprets KRS Chapter 314 to mean that nursing care occurs in the location of the patient and, therefore, any nurse providing care via telehealth routes to patients in Kentucky is required to maintain licensure in Kentucky, effective October 30, 2015.
- Approved the proposed revision to the Practice Committee Scope and Functions.
- Approved the proposed 2015-2016 Practice Committee Objectives.

201 KAR 20:490 LPN IV Therapy Scope of Practice – Proposed Work Group

- Directed that a Work Group be established to consider revision to 201KAR 20:490, LPN IV Therapy Scope of Practice.

Scope of Registered Nursing Practice in EMTALA Screening and Determination of False Labor

- Reaffirmed the 2006 Advisory Opinion regarding False Labor as follows:
- Recognizing the term “false labor”

as a term common to both nursing and medical practice, it was the advisory opinion of the board that the certification of false labor is within the scope of registered nursing practice. The registered nurse, as a qualified medical person, must be educationally prepared and clinically competent in the determination of false labor, and would perform this act according to established protocol officially approved by the facility’s medical and nursing staff.

- Rescinded the 2009 Advisory Opinion regarding the Scope of Registered Nursing Practice in the performance of medical screening exams under EMTALA. It will be reconsidered by the Practice Committee.

Proposed Re-Publication of AOS #1, AOS #2, AOS #6, and AOS #7

- Approved the republication of:
- AOS #1, Role of the Registered Nurse/Licensed Practical Nurse in Spinal Screening for Detection of Common Abnormal Curvatures of the Spine,
- AOS #2, Scope of Nursing Practice in Gynecological Cancer Detection,
- AOS #6, The Performance of Arterial Puncture by Registered Nurses, and
- AOS #7, Roles of Nurses in Superficial Wound Closure with Editorial Revisions.

AOS #09 – The Performance of Wound Debridement by Nurses – Proposed Editorial Revision Draft

- Approved the proposed revision to AOS #09, The Performance of Wound Debridement by Nurses.

AOS #14 – Roles of Nurses in the Implementation of Patient Care Orders – Proposed Editorial Revision

- Approved the proposed revision to AOS #14, Roles of Nurses in the Implementation of Patient Care Orders.

CONSUMER PROTECTION COMMITTEE

The September 17, 2015 Consumer Protection Committee Meeting Report was presented. The Board accepted the report and the following actions were taken:

Agreed Order Audit

- Approved the Agreed Order Audit Report.

Review of Kentucky Alternative Recovery Effort (KARE) for Nurses Program Agreements

- Approved the proposed changes to the Kentucky Alternative Recovery Effort (KARE) for Nurses program agreements.

Review of KAR 20:162. Procedures for disciplinary hearings pursuant to KRS 314.091.

- Approved the proposed change to 201 KAR 20:162. Procedures for disciplinary hearings pursuant to KRS 314.091.

APRN COUNCIL

The October 2, 2015 APRN Council Meeting Report was presented. The Board accepted the Report and the following actions were taken:

- Approved the APRN Council Scope and Functions Statement.
- Approved the APRN Council Objectives for 2015-2016.
- Approved the proposed revisions to Administrative Regulation 201 KAR 20:057.
- Approved the revision of the document entitled "Defining Same or Similar Specialty for the APRN Choosing a Collaborating Physician."

APRN Scope of Practice in the Utilization of Fluoroscopy for the Performance of Fluoroscopic-Guided Procedures

- Approved that the utilization of fluoroscopy and the operation of the equipment in the performance of fluoroscopic-guided procedures is within the scope of advanced practice registered nursing practice for the APRN who is currently educationally prepared and clinically competent in performing fluoroscopic-guided procedures. Additionally,
 1. The fluoroscopic-guided procedure and the utilization of fluoroscopy is performed according to an established, approved policy and procedure in the health care facility; and
 2. The APRN has been granted clinical privileges to perform the fluoroscopic-guided procedure and utilize fluoroscopy through the health care facility's credentialing process.
- Further it is within the scope of practice of the APRN to supervise the medical imaging technologist

when assisting the APRN in the performance of the fluoroscopic-guided procedure.

- Approved that previous advisory opinions on the scope of practice of the APRN in the utilization of fluoroscopy by reviewed and combined into an advisory opinion statement.

APRN Scope of Practice in Prescribing Testosterone Pellets

- Approved that an interagency task force be convened with a charge to identify the regulatory issues related to the prescriptive authority of the APRN to order, store, and prescribe extended-release testosterone (CIII) pellets and other testosterone-containing compounds and report back to the APRN Council.

CREDENTIALS REVIEW PANEL

The Report of the Credentials Review Panel Meetings held August 28, 2015 and September 18, 2015 were presented. The report was accepted and no actions were taken.

GOVERNANCE COMMITTEE

The September 17, 2015 Governance Committee Meeting Report was presented. The Board accepted the report and the following actions were taken:

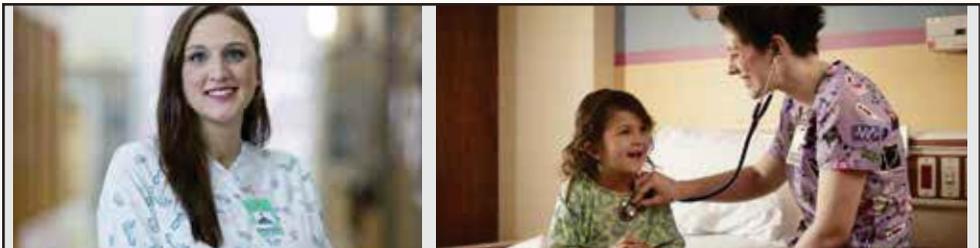
- Approved the proposed amendments to 201 KAR 20:162.
- Approved the revisions to the Governance Committee Scope and Functions.

Review KBN Guidelines

- Approved that no changes be made to the Executive Branch Guidelines 1, 2, 8, and 14.
- Approved the proposed revisions to Executive Branch Guideline 7.
- Deferred Executive Branch Guideline 15 to the November Governance Meeting.

DISCIPLINARY ACTION

- Approved seventeen (17) Recommended Orders, as written, and received reports on the approval of 31 (thirty-one) Agreed Orders, 22 (twenty-two) Consent Decrees, and 3 (three) Removal of Licenses from Probation.



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SUBSTANCE USE DISORDER IN NURSING



The prevalence of substance abuse and addiction in nurses and other health care professionals is no higher than that of the general population (Storr, Trinkoff, and Hughes, 2000). The American Psychiatric Association's (APA) fifth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM – 5) has developed criteria for diagnosis of Substance Use Disorder. The gradations are mild, moderate and severe. This new terminology no longer separates the diagnoses of Substance Abuse and Substance Dependence as in the DSM – IV.

Addiction is defined as a chronic, relapsing brain disease that is characterized by compulsive drug seeking and use, despite harmful consequences. It is considered a brain disease because drugs change the brain; they change its structure and how it works. These brain changes can be long lasting and can lead to many harmful, often self-destructive behaviors. (NIDA 2014).

Vulnerability to this disease depends on the individual. There is a genetic component that is influenced by environmental and social factors. The more risk factors a person has, the greater the chance that the use of alcohol and drugs will result in this Disorder. Other factors include the age when drugs or alcohol use begins and the

route of administration. The human brain is more vulnerable during the developmental stages, which continues into adulthood. Therefore, using mind-altering substances in childhood or adolescence interferes with normal development. For nurses, the long hours, extra shifts, staffing shortages, shift rotations and access to medication can increase vulnerability for some nurses.

Nurses with an untreated addiction can jeopardize patient safety because of impaired judgment, slower reaction time, diverting prescribed drugs from patients for their own use, neglect of patients and making a variety of other errors.

From the National Institute on Drug Abuse (NIDA 2014):

Harmful health consequences resulting from the abuse of opioid medications that are prescribed for the treatment of pain, such as Oxycontin®, Vicodin®, and Demerol®, have dramatically increased in recent years. For example, unintentional poisoning deaths from prescription opioids quadrupled from 1999 to 2010 and now outnumber those from heroin and cocaine combined. People often assume prescription pain relievers are safer than illicit drugs because they are medically prescribed; however, when these drugs are taken for reasons or in ways or amounts not prescribed by a provider, or taken by

someone other than the person for whom they are prescribed, they can result in severe adverse health effects including addiction, overdose, and death, especially when combined with other drugs or alcohol. Research now suggests that abuse of these medications may actually open the door to heroin use. Nearly half of young people who inject heroin surveyed in three recent studies reported abusing prescription opioids before starting to use heroin. Some individuals reported switching to heroin because it is cheaper and easier to obtain than prescription opioids.

The Kentucky Alternative Recovery Effort (KARE) for Nurses Program was developed by the Kentucky Board of Nursing to address the disease of Substance Use Disorder. The goal is to return nurses to competent nursing practice after they are in recovery. The program was initiated in 2001 to provide an alternative to discipline for nurses who recognize that they have a Substance Use Disorder, agree to obtain treatment and agree to be monitored by the Board for five (5) years. If you have any questions regarding this program or want to talk with someone regarding this disease or the program you can contact the KARE program at <http://kbn.ky.gov>, select Consumer Protection, then KARE. You can also contact Patricia Y. Smith, Compliance Section Manager, Consumer Protection Branch, at 502-429-3328 (or 1-800-305-2042, Ext. 3328), or Jill M. Cambron, Compliance Program Coordinator, at 502-429-3313 (or 1-800-305-2042, Ext. 3313).

References

1. Storr, C., Trinkoff, A., & Hughes, P. (2000). Similarities of substance use between medical and nursing specialties. *Substance Use and Misuse*, 35, 1443-1469.
2. National Institute of Drug Abuse (NIDA) (2014) *The Science of Drug Abuse and Addiction: The Basics*. What is drug addiction? Retrieved from <http://www.drugabuse.gov/publications/media-guide/science-drug-abuse-addiction-basics>
3. National Institute of Drug Abuse (NIDA) (2014) *Prescription Drug Abuse*. Retrieved from <http://www.drugabuse.gov/publications/research-reports/prescription-drugs/director>.



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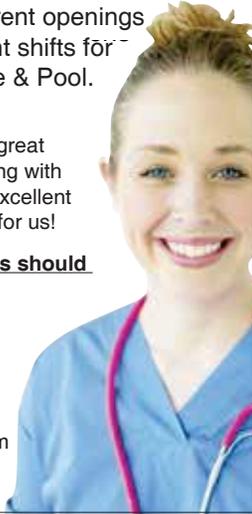
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by **Lahoma Prather, DNP, RN**

Scope of Nursing Practice in Kentucky describes the acts that a nurse is allowed to perform as defined by Kentucky Nursing Laws. Scope of practice definitions are documented in KRS 314.011 which may be accessed on the Board's website at <http://www.lrc.ky.gov/Statutes/statute.aspx?id=40838>. In Kentucky, scopes of practice are succinct yet broad enough to apply to any nurse in any practice setting.

Board staff receives calls every day from nurses who are trying to determine whether a given task is within their scope of practice. It is rare that staff is able to give a yes/no answer based on Kentucky Nursing Law. In fact, many times the most important thing a nurse needs to determine is not whether the task is within general scope of nursing practice but whether that individual nurse can and should perform the task at that time. Legal scope of practice is just the beginning.

KRS 314.021(2) imposes individual responsibility upon nurses. Acts which are within the permissible scope of practice for a given licensure level may be performed only by those licensees who personally possess the educational preparation and clinical competence to perform those acts in a safe, effective manner.

In this edition of the Connection we are reprinting a summary version of the Board's RN/LPN Scope of Practice Determination Guidelines. The RN/LPN Scope of Practice Determination Guidelines assists a nurse in thinking through several factors that must be considered when evaluating whether a nurse should perform a task. The full version is available on the KBN website at <http://kbn.ky.gov/practice/Documents/ScopeDeterminGuidelines.pdf>

In addition to reprinting the Guidelines S14ummary this article discusses some of these factors:

Designated Act: A nurse should understand what he or she is being asked to do. Sometimes when a nurse calls to ask if an act is within nursing scope of practice the nurse is not fully familiar with the act itself. A nurse should never undertake an act simply because it is within the general scope of nursing practice. Understanding the act and one's ability to complete it safely and competently is key.

Statutes and Regulations

In Kentucky, laws are referred to as statutes. Statutes are passed in the legislature and those pertaining to nursing are found in KRS Chapter 314. In addition to statutes, nursing practice in Kentucky is governed by administrative regulations. Regulations specify how a law will be implemented or enforced. The Board of Nursing promulgates

regulations related to nursing. Once approved, regulations have the force and effect of law. Nursing regulations are found in Kentucky Administrative Regulations Chapter 20. Kentucky Nursing Laws may be accessed on the Board's website at <http://kbn.ky.gov/legalopinions/Pages/laws.aspx>.

After defining the act being performed a nurse should then consider the law. If an act is expressly forbidden by law then a nurse should not perform it. This includes not only Kentucky Nursing Laws but also any other applicable Kentucky or federal law or regulation. It is the responsibility of the nurse to be aware of other laws and regulations that affect him or her. For example, there are specific laws and regulations related to hospitals, long term care facilities and the school setting which impact the acts nurses are allowed to perform in those settings.

Advisory Opinion Statements

When requested, the Board issues advisory opinions related to specific practice topics with regard to what constitutes safe nursing practice. An opinion is consistent with the law as well as the current evidence related to that practice topic. Advisory opinions do not have the force and effect of law. They are issued as a guide to licensees who wish to engage in safe nursing practice, and to facilitate the delivery of safe, effective nursing care to the public. New advisory opinions may be requested and if a nurse reviews an opinion and feels that it no longer reflects the most current evidence-based practice he or she is invited to contact the Board. Advisory Opinions may be accessed on the Board's website at <http://kbn.ky.gov/practice/Pages/aosindex.aspx>. The process to request an advisory opinion may be found at the following link: <http://kbn.ky.gov/practice/Pages/RequestAO.aspx>.

Policies and Procedures of Your Facility

After defining the act and determining the applicability of the law, a nurse should next consider facility or organizational policy and procedure. A facility or organization may implement policy and procedures that are more restrictive than Kentucky Nursing Law based on evaluation of their care environment. The Board expects a nurse to follow facility or organization policy and procedures even if they are more restrictive than Kentucky Nursing Laws. A nurse may receive disciplinary action for failing to follow facility policy and procedure even if in other environments a task may be deemed within the scope of nursing practice. It is important to know your facility or

organization policy and procedure especially when you have changed jobs and find yourself in a new environment.

Evidence Based Standards of Practice

Many times it is important for a nurse to examine evidence-based standards of care related to an act. It would not be reasonable or desirable to expect Kentucky Nursing Law to include sections specific to every nursing act and function. This would be extremely difficult and could prevent patients/clients from receiving the most current, evidence-based care. Instead, where Kentucky Nursing Law is not specific on a nursing act or function, per KRS 314.011, nurses are expected to follow the standards of practice of the ANA, NFPN or other applicable nationally recognized nursing associations.

The Individual Nurse

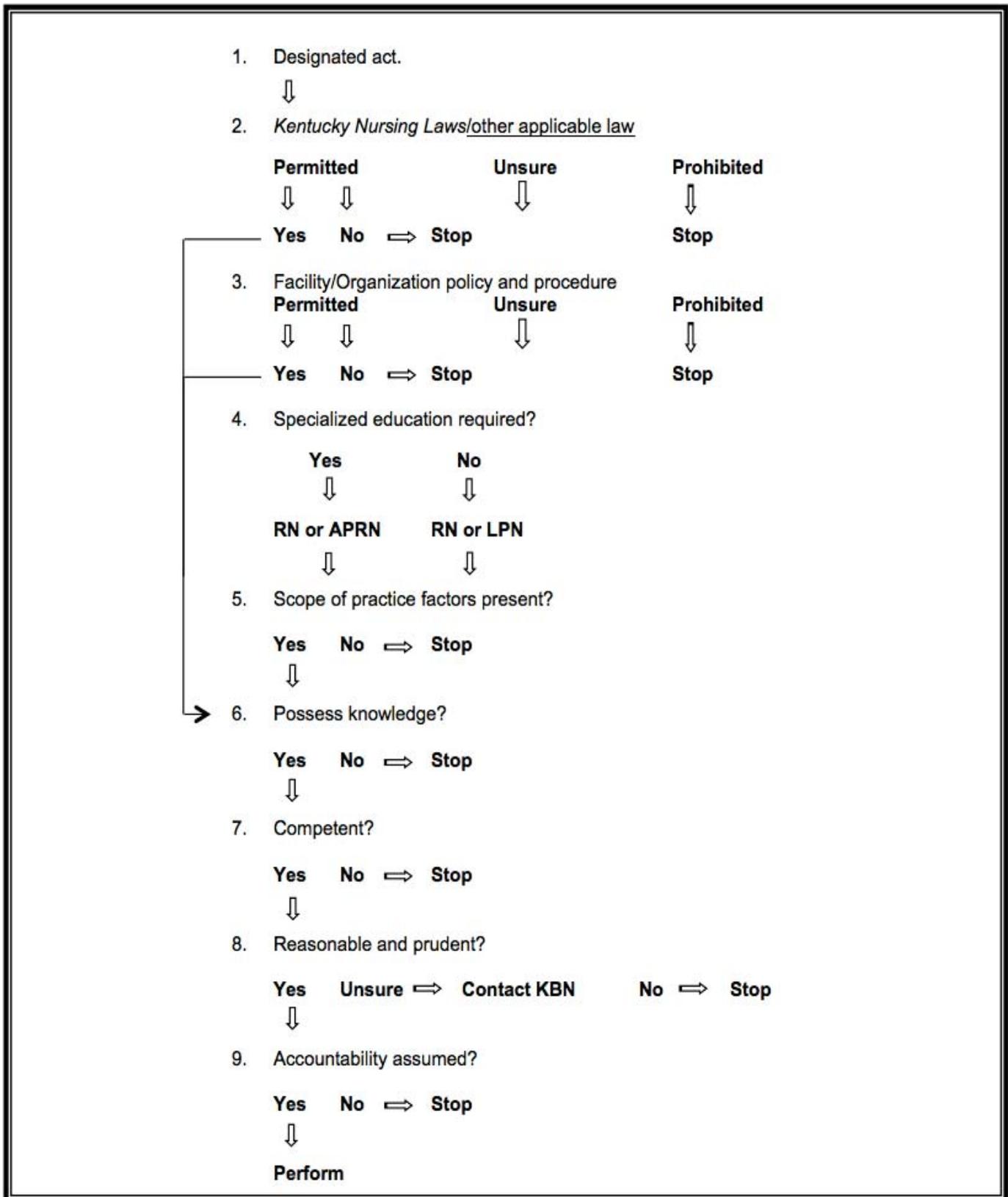
Often the most important factor in the decision whether to perform the task or not depends on the educational preparation and clinical competence of the individual nurse. It is not enough to determine if a task is within the general scope of nursing practice in Kentucky. A nurse must determine if he or she is educationally prepared and clinically competent to complete the task and accept responsibility for the outcome.

Final thoughts: Where does "Competency" Come From?

A frequent question regarding scope of practice issues is how competency is achieved and documented. Many of the tasks performed by nurses are gained in prelicensure preparation and honed through supervised and then independent practice. Other skills not included in prelicensure preparation may be gained by a nurse through a variety of avenues. These include, but are not limited to, content specific certifications, on the job training, continuing education classes, etc. The type of additional training is generally dependent on the complexity and risk of the act and is based on the evidence-based guidelines and position statements of the ANA, NFPN and other nationally accepted nursing organizations. It is up to the nurse and his or her employer to determine the appropriate avenue for gaining new knowledge and skills and to maintain documentation of the additional training, education and competency.

KBN has produced a video that walks nurses through scope of practice decisions which may be accessed on the Board website at: <https://www.youtube.com/watch?v=62WemS-5X1c>.

GUIDELINES SUMMARY: DETERMINING SCOPE OF PRACTICE FOR RNs/LPNs



DISCIPLINARY Actions

Since the publication of the Fall 2015 edition of the KBN Connection, the Board has taken the following actions related to disciplinary matters as authorized by the Kentucky Nursing Laws. A report that contains a more extensive list of disciplinary actions is available on the KBN website (<http://kbn.ky.gov/investdiscp/Pages/disciplinary.aspx>) If you need additional information, contact KBN's Consumer Protection Branch at 502-429-3300.

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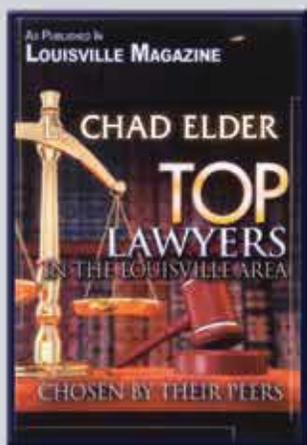
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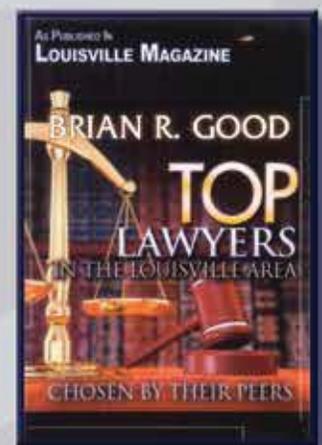
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