

KBN

Summer **2014**
Edition 40

CONNECTION

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See pages 17-19 for renewal information.

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2014 ANNUAL LICENSE RENEWAL NOTIFICATION



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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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Statistics Corner

As of August 7, 2014 KBN records show:

RN Active: 65,627

LPN Active: 15,640

Advanced Practice

Registered Nurses: 5,496

Dialysis Technicians Active: 528

SANE Active: 248



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PRESIDENT'S MESSAGE

The lazy, hazy days of summer are here and many of us will likely take some much-needed time off to unwind a bit before the fall. Thankfully though, the dedication and support of the KY Board of Nursing's tireless staff remain solid during the summer just as much as it does during the rest of the year.

I would first like to take a moment to thank our retiring board member Susan Mudd, RN for all her service and essential input. Susan retires after serving in various KBN capacities, including as the Education Committee Chairperson. I wish Susan continued success, and we all will miss her input, insight and dedication.

Next, I'll highlight one excellently helpful piece of work completed by an Ad Hoc KBN committee. Specifically, the committee assembled a comprehensive training manual for insulin administration, which will be available soon on KBN's website. The board sincerely thanks the committee and Pam Hagan (KBN Practice Consultant) for their hard work on this project.

The KBN also held elections for board positions and its various leadership roles during the April board meeting. Wendy Fletcher, DNP, APRN was reappointed to the Advanced Practice Nurse Council and Latoyia Garnett, DT and Bryanne Sammons, DT were appointed to serve on the Dialysis Technician Advisory Council. Jessica Estes, DNP, APRN was appointed to serve on the Control Substances Formulary Development Committee. Two board members, Dr. Jimmy Isenberg and Natalie Tate, LPN were re-appointed to their positions on the board, and KBN also welcomes a newly appointed board member, Dr. Patti Spurr, KBN's past Education Consultant. Furthermore, Dr. Isenberg was elected as Vice President of KBN, the Secretary-Treasurer will be Christe Coe and I am honored to have been re-elected as President of the Board. Additionally, Dr. Isenberg and I will serve as delegates for the National Council of State Boards of Nursing annual meeting in Chicago, with Nathan Goldman and Paula Schenk as our alternates.

Finally, I'll share a couple updates related to board activities, including a stakeholder's meeting that will be held August 6th at the KBN boardroom in order to discuss insulin administration by unlicensed staff in community settings. The Board of Nursing also is in the process of reviewing and revising our Strategic Plan, which is intended to further our mission to protect the public and regulate nursing practice.

Once again, I would like to extend an invitation to all nurses, nursing students or interested members of the public to take part in our Board meetings or committee meetings. A list of dates and times are available on the Kentucky Board of Nursing website.

A handwritten signature in black ink that reads "Sally Baxter RN". The signature is fluid and cursive, with the initials "RN" written in a larger, more stylized font at the end.

Sally Baxter, RN
President, Kentucky Board of Nursing



EXECUTIVE DIRECTOR'S MESSAGE

Dear Colleagues,

Since the last issue of the KBN Connection was published, questions have been raised with regard to the monies transferred or "swept" from the agency in order to balance the statewide budget. Specifically, the question posed was, "Why can't licensure fees be reduced therefore preventing a transfer of excess monies to the Kentucky (KY) General Fund?"

As a reminder, in 2006, KBN reduced the licensure renewal fee.

It is important to know one of the legal requirements of budgeting for the Commonwealth of Kentucky. The KY Constitution requires a balanced budget and, by the suspension of laws, the Legislature can transfer otherwise agency restricted monies, such as KBN's, to the General Fund in order to help balance the statewide budget as a whole.

The monies transferred into the General Fund are not monies in excess of the needs of the Kentucky Board of Nursing. As stated in my last Executive Director message (KBN Connection – Spring 2014), the transferred KBN monies accrued as a result of "forced" savings, or restricted spending, through a variety of means including personnel furloughs, mandated budget reductions of 2%-5% per biennium, not filling budgeted staff positions and other necessary savings as required by either Legislative or Executive Branch mandates. In other words, the savings resulting from restricted spending accounted for the monies transferred from KBN to the General Fund, not surplus funds from licensure and other fees.

Also, in my last message, I reported that the 2013 General Assembly enacted legislation to fully fund the KY Retirement System. In Fiscal Year (FY) 2013, the regular retirement contribution paid by KBN was approximately \$530,000. The retirement contribution for the FY 2015-2016 biennial budget will increase an additional \$520,000, an annual increase of over forty percent (40%). This is going to have significant impact upon KBN's future financial outlook. While the 2014 General Assembly enacted legislation for the FY 2015-2016 biennial budget, KBN staff was already evaluating KBN's financial needs into the FY 2017-

2018 biennium and beyond. At this time, it is projected that the agency's financial resources will be less than \$500,000 by the end of FY 2016. This is not enough money to cover the cost of agency operations through the first (1st) quarter of FY 2017.

This is why I wished to share with you the possibility of a fee increase sometime within FY 2015 – 2016. Further, I want to reiterate that KBN members and staff are committed to prudent and sound fiscal management and will continue to strive to be responsible stewards of the funds generated by licensure and other fees. I hope that this explanation provides greater clarity regarding the Board's financial history and future outlook.

On April 9, 2014, KBN celebrated its Centennial Anniversary at the Founders Union, University of Louisville, Shelby Campus. The celebration began with a conference presentation by Dr. Nancy Ridenour PhD, APRN, FAAN, Dean and Professor of the University of New Mexico College of Nursing and a former Robert Wood Johnson Health Policy Fellow with the Committee on Ways and Means in the US House of Representatives, about the Affordable Care Act's (ACA) impact on nursing regulation, education and practice. Following this enlightening presentation, a historical review and future outlook for national nursing regulatory issues was presented by Myra Broadway JD, MSN, RN, Executive Director, Maine State Board of Nursing and President of the National Council State Boards of Nursing. At the evening's banquet, attendees and honored guests had the pleasure of hearing Tori Murden McClure JD, MDiv, MFA, President, Spalding University, Louisville, KY, share her humorous, poignant and thought provoking perspective of women as caretakers evolving into powerful leaders in a myriad of roles including nursing. Appreciation is expressed to President Murden McClure, President Broadway and Dr. Ridenour for the contribution of time, expertise and wisdom to the Board's Centennial Celebration. Gratitude is expressed to all the donors (who are listed in this issue of the KBN Connection) for their contributions making this notable event possible.

On another note, I am pleased to announce that the following Board members were elect-

ed to these Board officer positions in FY 2015: Sally Baxter RN, President; Jimmy Isenberg RN, Vice-President; Christe Coe APRN, Secretary; and Sonia Rudolph APRN, Financial Officer.

In August, several Board members and staff will be attending the National Council of State Boards of Nursing (NCSBN) 2014 Annual Meeting in Chicago, IL. Of interest at this meeting, the NCSBN Delegate Assembly will be asked to consider the proposed APRN Compact statute. In the next issue of the KBN Connection, I will be sure to update you on the actions of the 2014 NCSBN Delegate Assembly.

On April 1, 2014, Shanda Kurk, RN, joined KBN staff as a Nurse Investigator in the Investigation and Discipline Section. On June 1, 2014, Myra Goldman, MSN, APRN, FNP-BC joined the KBN staff as the registered nursing and practical nursing prelicensure Nursing Education Consultant. Welcome Shanda and Myra to KBN! Also, I have been remiss in not mentioning that two (2) former KBN employees returned to Board service on a part-time interim basis to assist with investigations, Sandra Johanson, RN, (in 2013) and Judy Amig, RN, (2013 – present). Sandy and Judy, thank you for your willingness to come back to KBN, sharing your knowledge and assisting with investigations. Also, appreciation is expressed to the Office of Attorney General for lending Assistant Attorney General Nicole Pang to assist KBN with the backlog of disciplinary cases. Ms. Pang proved to be an invaluable asset to KBN and we wish her the best in all her future endeavors.

Have a safe, healthy and wonderful summer!

Addendum July 28, 2014: Effective July 16, 2014 \$1.0 million of KBN funds were transferred by Executive Order to help offset the FY 2014 \$90 million statewide budget shortfall. In FY 2014 a total of \$1.5 million of KBN funds were transferred to the General Fund.

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KBN Board Members and Centennial Conference Speakers: (left to right) Gail Wise, RN; Natalie Tate, LPN; Sonia Rudolph, APRN, KBN Board Financial Officer; Sally Baxter, RN, KBN Board President; Dina Byers, APRN; Myra Broadway, President, NCSBN; Jimmy Isenberg, RN, KBN Board Vice-President; Dr. Nancy Ridenour, Dean, School of Nursing, University of New Mexico; and, Paula Schenk, RN, KBN Executive Director.

On April 9, 2014, the Kentucky Board of Nursing (KBN) commemorated its centennial anniversary with an informative and timely educational conference focusing on the Affordable Care Act and its impact upon the regulation of nurses, nursing education and practice. KBN was honored by having two (2) keynote speakers. Dr. Nancy Ridenour, Dean, School of Nursing, University of New Mexico, was a keynote conference speaker addressing the ACA and nursing regulation implications. Myra Broadway, President, National Council of State Boards of Nursing (NCSBN), also served as a keynote speaker describing the evolution of nursing regulation, from a historical, current and futuristic perspective. Ms. Broadway also shared current activities of the NCSBN.

Following the conference, a reception and banquet was held at the Founders

Union Building, Shelby Campus, University of Louisville, Louisville, KY. Attendees included many nurses who had attended the preceding conference, current and former Board members, staff and honored guests. KBN was further honored to have received from Governor Steven Beshear a proclamation for the Board proclaiming that the year 2014 be recognized statewide as the Board's Centennial Anniversary. Tori Murden McClure, President, Spalding College, Louisville, KY, was KBN's Centennial Banquet speaker. President McClure recognized nationally and internationally for her many achievements, was the first woman to row a boat alone, and without assistance, across the Atlantic Ocean. She was, also, one of two women and one of six Americans who were the first Americans to travel over land to the geographic South Pole, skiing 750 miles from the ice shelf to the pole. President

McClure's speech focused on the history and evolution of women in nursing and challenged banquet attendees to identify with each other as achievers and heroes, and having the ability to exercise compassion for ourselves so that we may exercise compassion for others.

KBN also recognized two individuals of particular note. The first being the nurse who has held an active nursing license for the longest period of time in the Commonwealth of Kentucky, Ms. Hazel Arnold. Ms. Arnold has been a practicing nurse since 1947 and continues to practice as a nurse on a part-time basis. Mr. Martin Glazer, retired Assistant Attorney General, served as the Board's General Counsel and Hearing Officer during the 1970's into the 1990's. Mr. Glazer's legal guidance and advice to the Board during this time promoted sound governance and legally defensible nursing regulation.

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Ms. Hazel Arnold (Center, Bottom Row), was recognized as the nurse who has held an active nursing license for the longest period of time in the Commonwealth of Kentucky.



Mr. Martin Glazer, retired Assistant Attorney General, served as the Board's General Counsel and Hearing Officer.



Tori Murden McClure, President, Spalding College, Louisville, KY and KBN Deputy Executive Director, Bernadette Sutherland

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with a physician. You are not required to discontinue your CAPA-NS; you may choose to continue it.

- If you have not provided the KBN with an email address, you should have received a letter via the US Postal Service.
- The notice of the change in the law and the process was also posted on the KBN website home page.
- Webpage links/URLs were included in the email from which the APRN can print the form that is to be completed and returned to the KBN via fax, scanned/attached to email, or mailed via the postal service. Return information was included on the form. A signature is required, therefore the process cannot be completed on-line at the present time.

Continuing APRN CAPA-NS Prescribers

Additionally ALL APRNs who will continue to prescribe with a CAPA-NS are required to complete and return the form: Notification of a Collaborative Agreement for the APRN's Prescriptive Authority for Nonscheduled Legend Drugs (CAPA-NS). This form will provide the Board with information to ensure compliance with the 4 year requirement of current and newly licensed APRNs.

Once received by the KBN, Board staff will review the information and the APRNs licensure status will be updated on the webpage. You may check your licensure status <https://secure.kentucky.gov/kbn/bulkvalidation/basic.aspx>

Senate Bill 7 (Hornback-R) passed in the 2014 General Assembly. Governor Steven Beshear signed the bill into law at a ceremony on February 26, 2014. This law (KRS 314.196) removes the requirement for an APRN to have a Collaborative Agreement for Prescriptive Authority for Nonscheduled Drugs (CAPA-NS) after four (4) years of prescribing with a collaborative agreement with a physician. The law went into effect on July 15, 2014, the administrative regulation was approved on July 16, 2014 and the Kentucky Board of Nursing communicated the implementation process to licensees on July 17, 2014. An APRN who meets the 4 year requirement may request to discontinue the CAPA-NS by completing a notification form to the Kentucky Board of Nursing.

What's Next for APRNs meeting 4 year CAPA-NS Prescribing

- In mid-July, APRNs licensed in Kentucky received an email notification from the KBN (if you provided your email address to KBN <http://kbn.ky.gov/license/addchg.htm>) to complete the Notification to Discontinue the Collaborative Agreement for Prescriptive Authority for Nonscheduled Drugs (CAPA-NS) After Four (4) Years of prescribing with a collaborative agreement

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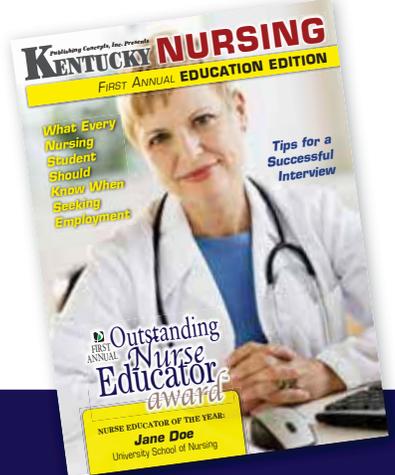
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Q: I was selected for the CE audit last year. I have friends that have been in nursing for many years but have never been selected. Why did I receive an audit letter and they did not?

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: 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 refuse to earn the late hours and/or pay the fine, your records and audit response will be forwarded to the Investigation and Discipline Section of the Consumer Protection Branch for initiation of disciplinary action.

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 KBN website (www.kbn.ky.gov) for additional earning information.

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 in 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 am a relatively new graduate. I am required to renew my nursing license for the first time by October 31st, 2014. 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 licenses must also complete 14 approved CE contact hours or the equivalent within the earning period of Nov. 1st through Oct. 31st, 2014. There is no exemption for first-time renewal. All nurses renewing their license during the Sept. 15

through Octo. 31, 2014 renewal period are required to earn the required CE hours.

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

A: Yes. A satisfactory employment evaluation or competency validation for your position as a nurse, that covers at least six months of the earning period, can be used for seven contact hours. You must earn the other seven hours. Other acceptable ways to earn

your CE hours can be found online (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 will count toward your CE requirement. One semester credit hour equals 15 contact hours. One quarter credit hour equals 12 contact hours. These courses count as CE for the earning



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period in which the course was completed.

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/) under "CE Forms and Publications," to KBN requesting contact hours for this course. There is a non-refundable charge of \$10 for the review. You can also request an application form by contacting the KBN office at 800-305-2042, ext. 7191. 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 hours or any combination of the hours may be from internet providers.

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.

SANE-credentialed nurses must earn five contact hours of approved sexual assault CE.

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 inservice 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 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).

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/) 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 have earned more CE hours this earning period than I need. Can these hours be used for my next renewal?

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



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Q: I understand Kentucky nurses are now 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 have earned 1.5 CE contact hours in pediatric abusive head trauma (shaken baby syndrome) by December 31, 2013. Nurses licensed after July 15, 2010 must complete this earning 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 after December 2011.

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

A: You can print a copy of the KBN approver provider list from the KBN website (www.kbn.ky.gov) under "CE Forms and Publications" or you may request a copy of the list by contacting the KBN office at 800-305-2042, ext. 7191. 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: Does KBN have a record of the CE hours I have earned?

A: No. KBN does not keep track of each nurse's CE hours – that responsibility falls on the individual nurse. 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 to KBN. You are not required to submit CE certificates to KBN unless requested to do so through the CE audit. Nurses must retain records of their CE/competency for at least five years following a licensure period. HIV/AIDS CE records must be retained for 12 years.

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: All nurses are required to earn two contact hours of approved HIV/AIDS CE at least once every 10 years. The course must be offered by an approved CE provider or approved by the Kentucky Cabinet for Health and Family Services in Frankfort, Kentucky. HIV/AIDS certificates are to be retained for 12 years.

Q: I am an Advanced Practice Registered Nurse (APRN) in Kentucky. Are there any specific CE requirements for my registration 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 of the renewal year. In 2008, the regulation was amended to reflect that pharmacology CE 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 pharmacology hours.

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

A: SANE-credentialed nurses are required to earn five approved 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 hours for RN renewal.



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ATTENTION ALL NURSES: HIV/AIDS CE AUDIT

Kentucky law requires that all nurses must complete at least 2 approved CE contact hours in HIV/AIDS education at least once every ten years. Plans are for KBN to conduct an HIV/AIDS CE audit this year. This audit will be sent out immediately following the October 2014 renewal period. All nurses licensed before November 1, 2004 are eligible to be included in the random selection.

Nurses selected for this audit will be required to show proof of completing at least 2 approved CE contact hours in HIV/AIDS within the ten-year earning of November 1, 2004 through October 31, 2014.

This particular audit will be for HIV/AIDS education only. An audit for other CE requirements will follow later in the year.

If you have questions concerning this requirement, please contact Mary Stewart, Continuing Competency Program Coordinator, at 502-429-7191 or by e-mail at MaryD.Stewart@ky.gov.

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