

KENTUCKY BOARD OF NURSING  
SUMMARY OF MAJOR ACTIONS  
Board Meeting  
February 18 and 19, 2010

**PRESIDENT'S REPORT**

Jimmy Isenberg announced the nominating committee members for the Kentucky Board of Nursing (KBN) officer election for 2010-2011. The members are Christe Coe, Chairperson; Susan Mudd and Deborah Phillips.

President Isenberg read the guidelines and procedures for the presentations from Gateway Community and Technical College, Hazard Community and Technical College, Northern Kentucky University and Spencerian College for failure to achieve an 85% first time pass rate for two or more years on NCLEX. The four schools were notified in June 2009 that they would have to appear before the Board in February 2010 to discuss their current conditional approval status. In advance of the meeting, each school was given a specific format to follow for their presentations on how they proposed to improve the NCLEX scores and pass rates.

Nathan Goldman, KBN General Counsel, presented the legal briefing regarding the Board's options for the schools approval status.

**EXECUTIVE DIRECTOR'S REPORT**

A number of bills have been filed with the Kentucky General Assembly that could impact KBN. KBN President, Jimmy Isenberg and Vice President, Trish Birchfield along with KBN Executive Director presented HB 179 before the House of Representatives Committee on Health and Welfare February 4, 2010. The bill was passed out of committee and has been passed by the full House of Representatives.

**EDUCATION COMMITTEE**

***Campbellsville University, Associate Degree Program***

- Accepted the report from the Associate Degree program of Campbellsville University, Campbellsville.
- Agreed that based on review of documents provided to the Committee during the meeting by Campbellsville University representatives, it was determined that the program has provided all evidence as requested and that no additional information is required.
- Directed the approval status of the Associate Degree program of Campbellsville University, Campbellsville be changed from Conditional to Full.

***Madisonville Community College, Associate Degree Program Addition of an on-line track***

- Directed that approval of the curriculum change proposed by Madisonville Community and Technology College be deferred pending response from a) National League of Nursing Accrediting Commission regarding the curriculum change and 2) a complete

analysis of the proposed clinical model in relation to 201 KAR 20: 310 administrative regulations “Faculty for prelicensure registered nurse and practical nurse programs, section – Clinical Preceptors.”

- Directed that the program shall provide additional information with respect to the qualifications and potential liability of preceptors.
- Directed that Education Consultant conduct a site visit to review the full proposed plan with the college administration, program leadership; faculty members assigned to the on-line portion of the program; proposed clinical facilities; and students admitted to the program.
- Directed that all students admitted to the on-line track at Madisonville Community and Technical College participate in standard clinical rotations as do on-campus students until such time that the proposed curriculum change request is acted on by the Board.

### **NEW PROGRAM APPLICATIONS/PROPOSALS**

#### ***ITT Technical Institute, Louisville, Associate Degree Program***

- Accepted the Proposal for the development of an Associate Degree program by ITT Technical Institute, Louisville.
- Approved that the proposed Associate Degree program of ITT Technical Institute, Louisville be granted developmental approval status for an admission class no earlier than September 2010.
- Directed that as the proposed location of the program is still in the planning phases and at the present time there is not evidence that they meet the requirements set forth in 201 KAR 20:350: Educational facilities and resources for prelicensure registered nurse and practical nurse programs, that the ITT nursing program keep the Board of Nursing apprised of the construction status and that students may not start classes until said time that a representative from the Board returns for a site visit and all requirements established in 201 KAR 20:350 are met.
- Directed that the Program Administrator arrange with the Education Consultant for a site visit at least three (3) months prior to the admission of the first class.
- Directed that at the time of the pre-admission site visit, the program shall have available for the consultant the following: documentation of the implementation of the program as compared to the approved proposal; list of students admitted to the first class and their adherence to admission criteria; a copy of the nursing and campus student handbooks; copies of each syllabus for the 1<sup>st</sup> semester/quarter; list of faculty and clinical instructors for the first academic year as assigned by course; summary of clinical agencies to be utilized for the first academic year by course; copies of signed clinical agreements; policy manual for the nursing program; complete evaluation plan for the program.
- Accepted that failure to submit Board required reports within the designated time period may result in the rescinding of developmental or initial approval status.

- Accepted that approval to establish a program of nursing may be withdrawn if program requirements are not met and if a class is not enrolled within eighteen (18) months after the Board granted developmental approval. If the Board determines that a proposed program does not comply with all administrative regulations of the Board, developmental or initial approval may be withdrawn. The governing institution shall be notified in writing of the withdrawal of developmental or initial approval.

### **SCHOOLS APPEARING BEFORE THE BOARD REGARDING APPROVAL STATUS**

Each program was instructed to discuss all plans previously submitted to the Board to correct identified deficiencies. Data collected to evaluate each action step, including an assessment of the success of each action and any modifications made for subsequent years, were to be detailed. Any actions not implemented were also to be explained.

#### ***Gateway Community & Technical College -- Associate Degree- RN Program***

Gail Wise recused herself from voting.

- Accepted the focused visit report of February 1-2, 2010 for the Associate Degree Nursing Program at Gateway Community & Technical College, Edgewood as specified in the June 11-12 Board Actions.
- Accepted the August 15, 2009 and the December 15, 2009 reports submitted by the Associate Degree Nursing Program at Gateway Community & Technical College, Edgewood as required within the "Letter to Show Cause" letter issued on May 6, 2009.
- Accepted that the Associate Degree Program of Gateway Community and Technical College, Edgewood has provided evidence of the satisfactory adherence to 201 KAR 20:260-360. That as the Associate Degree Program at Gateway Community and Technical College, Edgewood has supplied all requested information and all requirements have been met, no further follow-up is required.
- Directed that the approval status of the Associate Degree Program of Gateway Community & Technical College, Edgewood be changed from Conditional to Full.

#### ***Hazard Community & Technical College -- Associate Degree Nursing, Lees Campus***

- Accepted the focused visit report of February 4 -5, 2010 for the Associate Degree Nursing Program at Hazard Community & Technical College-Lees Campus, Jackson as specified in the Letter to Show Cause.
- Approved the *Requirements to be Met* as stated in this February 2-3, 2010 report to the Associate Degree program of Associate Degree program of Hazard Community & Technical College-Lees Campus, Jackson.
- Accepted the August 15, 2009 and the December 15, 2009 reports submitted by the Associate Degree Nursing Program at Hazard Community & Technical College-Lees Campus, Jackson as required within the "Letter to Show Cause" letter issued on May 6, 2009.
- Directed that the Associate Degree program of Hazard Community & Technical College-Lees Campus, Jackson submit an update report on the additional strategies implemented since the last visit and evidence collected to evaluate current strategies

designed to increase first time candidate NCLEX pass rates (NCLEX report). This report shall be sent to the KBN Education Consultant no later than August 15, 2010.

- Directed the representatives of the Board of Nursing conduct a follow-up focused site visit to the program in November 2010 to review evidence of the continued implementation of actions and evidence of outcomes.
- Directed that due to the evidence available to the Board visitors during the site visit, and the evidence reported by the program administrator and the college leadership, Hazard Community & Technical College-Lees Campus, Jackson has shown a concerted and sustained effort to meet all Board requests for the analysis and commitment to the improvement of graduate scores for the first time NCLEX-RN testers. Based on these assessments, the Associate Degree Nursing Program at Hazard Community & Technical College-Lees Campus, Jackson should remain as Conditional Approval Status.

***Northern Kentucky Univeristy -- Baccalaureate Nursing Program, Highland Heights***

- Accepted the focused visit report of February 11, 2010 for the Baccalaureate Nursing Program at Northern Kentucky University, Highland Heights as specified in the Board Action of June 11-12, 2009.
- Approved the *Requirements to be Met* as stated in the February 11, 2010 report to the Baccalaureate program of Baccalaureate Degree program of Northern Kentucky University, Highland Heights.
- Accepted the August 15, 2009 and the December 15, 2009 reports submitted by the Baccalaureate Nursing Program at Northern Kentucky University, Highland Heights as required within the "Letter to Show Cause" letter issued on May 6, 2009.
- Directed that the Baccalaureate program of Northern Kentucky University, Highland Heights submit an update report on the additional strategies implemented since the last visit and evidence collected to evaluate current strategies designed to increase first-time candidate NCLEX pass rates (NCLEX report). This report shall be sent to the KBN Education Consultant no later than August 15, 2010.
- Directed that representative(s) of the Board of Nursing conduct a follow-up focused site visit to the program in November 2010 to review evidence of the continued implementation of actions and evidence of outcomes.
- Directed that as a result of the evidence available to the Board visitors during the site visit, and the evidence reported by the program administrator and the college leadership, Northern Kentucky University has shown a concerted and sustained effort to meet all Board requests for the analysis and commitment to the improvement of graduate scores for the first-time NCLEX-RN testers. Based on these assessments, the Baccalaureate Nursing Program at Northern Kentucky University, Highland Heights should remain as Conditional Approval Status.

***Spencerian College -- Associate Degree Nursing Program***

- Accepted the focused visit report of January 28-29,2010 for the Associate Degree Nursing Program at Spencerian College, Louisville as specified in Board Action of June 11-12, 2009.

- Approved the Requirements to be Met as stated in this January 28-29, 2010 report to the Associate Degree Nursing Program at Spencerian College, Louisville.
- Accepted the August 15, 2009 and the December 15, 2009 reports submitted by the Associate Degree Nursing Program at Spencerian College, Louisville as required within the “Letter to Show Cause” letter issued on May 6, 2009.
- Directed that the Associate Degree Nursing Program at Spencerian College, Louisville submit an update report on the additional strategies implemented since the last visit and evidence collected to evaluate current strategies designed to increase first time candidate NCLEX pass rates. This report shall be sent to the KBN Education Consultant no later than August 15, 2010.
- Directed the representative(s) of the Board of Nursing conduct a follow-up focused site visit to the program in November 2010 to review evidence of the continued implementation of actions and evidence of outcomes.
- Directed that due to the evidence available to the Board visitors during the site visit, and the evidence reported by the program administrator and the college leadership, Associate Degree Nursing Program at Spencerian College, Louisville has not shown a concerted and sustained effort to meet all Board requests for the analysis and commitment to the improvement of graduate scores for the first time NCLEX-RN testers. Based on these assessments, the Associate Degree Nursing Program at Spencerian College, Louisville should be placed on Probationary Status as outlined in 201 KAR 20:360.

### **Self-Administration and Supervision of Self-Administration of Medication**

The Cabinet for Health and Family Services, Office of Inspector General, is proposing an administrative regulation on personal services agencies. Board Members, Sally Baxter and Anne Veno had voiced concerns on the definition of facilitating the self administration of medication by employees of personal services agencies (PSA). The KBN staff had previously met with individuals representing groups that requested to speak to the Board about the issue. Sally Baxter and Anne Veno presented their concerns to the Board. The main concern is the definition of “facilitating the self-administration of medication”.

Mary Begley from the Inspector General’s office addressed the Board on the rationale behind the proposed administrative regulation. Several speakers were given the opportunity to both address the Board and answer questions from Board Members.

Approved by the Board was the following motion: “We as the Kentucky Board of Nursing define the assistance with self administration of medications. “

Approved by the Board was the following motion: “The Kentucky Board of Nursing refers the issue of definition of assistance with self administration of medications to the Practice Committee with the consumer representatives and that we express our concerns and collaborate with the Office of Inspector General and sponsors of House Bill 444.”

### **PRACTICE COMMITTEE**

- Approved the letter of response to Angela Livingston, RN, regarding the scope of licensed practical nursing practice and the definition of “readily available” as stated in

201 KAR 20:490.

- Accepted the revisions to 201 KAR 20:490, “Licensed practical nurse intravenous therapy scope of practice” regulation.
- Approved the “KBN Guidelines to Request an Advisory Opinion” and the “Request for Advisory Opinion” form.
- Approved the revisions to AOS #3, “IV Therapy Recommended Course Content” be approved.
- Accepted the UAP Taskforce meeting report dated 11/12/09 as written.
- Directed that the UAP Taskforce not be assigned a new unlicensed assistive personnel topic at this time.

#### **GOVERNANCE COMMITTEE**

- Accepted the proposed equipment policy for board members be adopted.
- Accepted the proposed amendment to 201 KAR 20:240.

#### **DISCIPLINARY ACTION**

Approved five (5) Proposed Decisions, as written, and received reports on the approval of twelve (12) Agreed Orders, nine (9) Consent Decrees, and two (2) Removal of Licenses from Probation.

dnt:3/23/2010