

FILED WITH LRC  
TIME: 9:50 AM  
JUN 22 2022  
Emily B Caudill  
REGULATIONS COMPILER

1 GENERAL GOVERNMENT CABINET

2 Board of Nursing

3 (Amendment)

4 201 KAR 20:310. Faculty for prelicensure registered nurse and practical nurse programs.

5 RELATES TO: KRS 314.111, 314.475

6 STATUTORY AUTHORITY: KRS 314.131(1)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131(1) authorizes the Board of Nursing to  
8 promulgate administrative regulations necessary to enable it to carry into effect the provisions  
9 of KRS Chapter 314. This administrative regulation establishes standards for faculty of programs  
10 of nursing that prepare graduates for licensure as registered nurses or practical nurses.

11 Section 1. Definitions.

12 (1) "Clinical instructor" means a registered nurse who is employed by a program of nursing to  
13 provide students with traditional clinical or simulated experiences.

14 (2) "Nurse faculty" means a registered nurse who is employed by a program of nursing, either  
15 full-time, part-time, or adjunct, to provide didactic instruction, and may also provide clinical  
16 instruction or simulated experiences.

17 (3) "Nursing experience" means employment in a position that requires the individual to hold  
18 an active nursing license, such as nursing clinical practice, nursing administration, nursing  
19 education, or nursing research.

1 (4) "Preceptor" means a nurse with demonstrated competence in a specific clinical area who  
2 serves as a role model and mentor to assist in the development and validation of the  
3 competencies of a student.

4 (5) "Skills laboratory instructor" means a non-faculty instructor primarily assigned to a clinical  
5 skills or simulation laboratory who manages the daily operations of the skills laboratory or assists  
6 nursing faculty to implement student learning activities for the development of psychomotor  
7 nursing skills.

8 (6) "Unencumbered" means a license without current disciplinary conditions or restrictions.  
9 Enrollment in an alternative to discipline program is not an encumbrance.

10 Section 2. Faculty for Prelicensure Registered Nurse and Practical Nurse Programs.

11 (1)(a) The faculty shall include a program administrator and shall include at least one (1) other  
12 nurse faculty.

13 (b) The faculty shall be adequate in number to implement the curriculum as determined by  
14 program outcomes, course objectives, the level of the students, the number of students and  
15 classes admitted annually, and the educational technology utilized.

16 (c) The program administrator and all nurse faculty and clinical instructors shall be appointed  
17 by and be responsible to the governing institution of the program of nursing.

18 (d) A program shall develop and implement a plan of organization and administration that  
19 clearly establishes the lines of authority, accountability, and responsibility for each program  
20 location.

21 (2) Program administrator qualifications. The program administrator for a registered nurse or  
22 a practical nurse program shall have:

1 (a) A minimum of a master's or higher degree in nursing from an accredited college or  
2 university. In lieu of a master's degree, the program administrator shall have completed that  
3 portion of a doctoral degree that would be equivalent to a master's in nursing degree while  
4 enrolled in an accredited college or university with a timeline in place for degree attainment. The  
5 program administrator shall provide documentation that shows active and steady progression  
6 towards the doctoral degree;

7 (b) A minimum of five (5) years of nursing experience within the immediate past seven (7)  
8 years;

9 (c) A minimum of two (2) years of full time teaching experience at or above the academic level  
10 of the program of nursing;

11 (d) An unencumbered current license, privilege, or temporary work permit to practice as a  
12 registered nurse in the Commonwealth of Kentucky;

13 (e) A current knowledge of nursing practice at the level of the program; and

14 (f) Demonstrated experience or preparation in education that includes teaching adults, adult  
15 learning theory teaching methods, curriculum development, and curriculum evaluation. A  
16 program administrator without previous program administrator experience shall have a mentor  
17 assigned by the governing institution and an educational development plan implemented. The  
18 mentor shall have documented experience in program administration.

19 (3) A program administrator who is currently employed at a practical nurse program and who  
20 does not meet the requirements of subsection 2(a) of this Section may continue to be employed  
21 at the program of nursing where the program administrator is presently, but shall earn the  
22 master's degree or higher in nursing on or before July 1, 2021.

1 (4) Didactic faculty qualifications.

2 (a) Didactic faculty in a registered nurse program shall meet the qualifications set out in KRS  
3 314.111(6)(b), (c), or (d). ~~1. Nurse faculty in a prelicensure registered nurse program shall hold~~

4 ~~a degree from an accredited college or university, which shall include:~~

5 ~~a. A master's degree within the discipline of nursing or have completed that portion that would~~  
6 ~~be equivalent to a master's in nursing degree; or~~

7 ~~b. A baccalaureate degree with a major in nursing and a master's degree in a related field, which~~  
8 ~~includes a minimum of eighteen (18) graduate hours in nursing. The eighteen (18) graduate hours~~  
9 ~~in nursing may also be earned independently of the related master's degree.~~

10 ~~2. Nurse faculty in an associate degree nursing program may be employed with a baccalaureate~~  
11 ~~degree in nursing, but shall complete, within five (5) years of the date of employment, a master's~~  
12 ~~degree commensurate with either clause a. or b. under subparagraph 1 of this paragraph.]~~

13 (b) Nurse faculty in a practical nurse program shall have a minimum of an associate [a  
14 ~~baccalaureate~~] degree with a major in nursing from an accredited college or university.

15 (c) The nurse faculty shall hold a temporary work permit or a current unencumbered license  
16 or privilege to practice as a registered nurse in the Commonwealth of Kentucky.

17 (d) The nurse faculty shall document a minimum of two (2) years full time or equivalent  
18 experience as a registered nurse within the immediate past five (5) years and shall have and  
19 maintain expertise in the clinical or functional area of responsibility.

20 (e) The nurse faculty shall document preparation in educational activities in the area of  
21 teaching and learning principles for adult education, including curriculum development and

1 implementation. The preparation shall be acquired through planned faculty in-service learning  
2 activities, continuing education offerings, or academic courses.

3 (f) Nurse faculty hired without prior teaching experience shall have a mentor assigned and an  
4 educational development plan implemented.

5 (g) 1. Non-nurse faculty members who teach nursing courses required within the curriculum  
6 shall have appropriate academic and experiential qualifications for the program areas in which  
7 they participate.

8 2. Non-nurse faculty shall be required to collaborate with a nurse faculty member in order to  
9 meet the nursing course outcomes.

10 (h) Nurse faculty who teach via distance or on-line shall hold an unencumbered active nursing  
11 license to practice as a registered nurse in the nurse faculty's primary state of residence.

12 (5) Skills laboratory and clinical instructor qualifications.

13 (a) A clinical instructor shall function under the guidance of the nurse faculty responsible for  
14 a given course.

15 (b) A clinical instructor for either a registered nurse or practical nurse program shall hold a  
16 current unencumbered license, privilege, or temporary work permit to practice as a registered  
17 nurse in the state of the student's clinical site.

18 (c) A clinical instructor shall have a minimum of two (2) years full time or equivalent experience  
19 as a registered nurse within the immediate past five (5) years and evidence of clinical competence  
20 appropriate to teaching responsibilities.

21 (d) For a registered nurse program, the clinical instructor shall meet the requirements of KRS  
22 314.111(6)(a) [~~have the following qualifications:~~

1 ~~1. For an associate degree nursing program, a registered nurse; or~~

2 ~~2. For a baccalaureate degree nursing program, a registered nurse with a baccalaureate~~  
3 ~~degree in nursing or higher].~~

4 (e) For a practical nurse program, the clinical instructor shall be a registered nurse.

5 (f) A skills laboratory instructor shall have the same qualifications as a clinical instructor.

6 Section 3. Preceptors. (1) A preceptor may be used to enhance clinical learning experiences.

7 If a preceptor is used, it shall be done after a student has received clinical and didactic instruction  
8 from the program faculty in all basic areas for the course or specific learning experience.

9 (2) A preceptor shall hold a current unencumbered license, privilege, or temporary work  
10 permit to practice as a registered nurse in the state of the student's clinical site. In a practical  
11 nursing program, a preceptor may hold a current unencumbered license, privilege, or temporary  
12 work permit to practice as a licensed practical nurse in the state of the student's clinical site.

13 (3) A preceptor shall have evidence of clinical competencies related to the area of assigned  
14 clinical teaching responsibilities.

15 (4) A preceptor shall not be used to replace clinical instructors. The ratio of student to  
16 preceptor shall not exceed two (2) to one (1). Clinical instructors or nurse faculty retain  
17 responsibility for student learning and confer with the preceptor and student for the purpose of  
18 monitoring and evaluating learning experiences.

19 (5) There shall be documentation of orientation to the course, program outcomes, student  
20 learning objectives, evaluation methods to be utilized by the faculty, and documented role  
21 expectations of faculty, preceptor, and student.

1       Section 4. Reporting of Registered Nurse Program and Practical Nurse Program Faculty  
2       Qualifications and Appointments.

3       (1) Evaluation of faculty records. The program administrator shall submit to the board the  
4       qualifications of nurse faculty and clinical instructors within thirty (30) days of appointment.

5       (a) Official academic transcripts or copies verified by the nurse administrator or designee shall  
6       be available to the board upon request.

7       (b) A complete and official record of qualifications and workload for each faculty member shall  
8       be on file and available to the board upon request.

9       (c) Faculty appointments shall be reported to the board in writing.

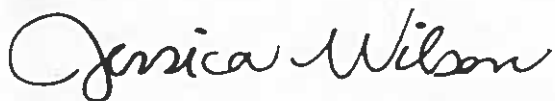
10      (d) The program administrator shall report a change in faculty composition within thirty (30)  
11      days of appointment or vacancy.

12      (2) The board shall review annually the qualifications of the faculty employed in the program  
13      of nursing.

**Amended Administrative Regulation**

**201 KAR 20:310. Faculty for prelicensure registered nurse and practical nurse programs**

**Adopted: June 16, 2022.**



---

**Jessica Wilson, President  
Kentucky Board of Nursing**

---

**June 16, 2022  
Date**



### **PUBLIC HEARING AND PUBLIC COMMENT PERIOD**

A public hearing on this administrative regulation shall be held on September 26, 2022 at 10:00 AM at Kentucky Board of Nursing, 312 Whittington Parkway, Ste 300, Louisville, KY 40222. Individuals interested in being heard at this hearing shall notify this agency in writing by September 19, 2022, five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

**CONTACT PERSON:**

Jeffrey R. Prather, General Counsel  
Kentucky Board of Nursing  
312 Whittington Parkway, Suite 300  
Louisville, KY 40222  
Cell: (502) 338-2851  
Email: [Jeffrey.Prather@ky.gov](mailto:Jeffrey.Prather@ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 20:310

Contact Person: Jeffrey Prather

Phone: (502) 338-2851

Email: [Jeffrey.prather@ky.gov](mailto:Jeffrey.prather@ky.gov)

- (1) Provide a brief summary of:
  - (a) What this administrative regulation does: It sets standards and requirements for faculty for prelicensure RN and LPN programs of nursing.
  - (b) The necessity of this administrative regulation: It is required by statute.
  - (c) How this administrative regulation conforms to the content of the authorizing statutes: By setting standards and requirements.
  - (d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: By setting standards and requirements.
  
- (2) If this is an amendment to an existing administrative regulation, provide a brief summary of:
  - (a) How the amendment will change this existing administrative regulation: It references the new requirements for didactic faculty required by SB 10 (2022 Regular Session) and deletes inconsistent provisions.
  - (b) The necessity of the amendment to this administrative regulation: It is required by SB 10.
  - (c) How the amendment conforms to the content of the authorizing statutes: By referencing the faculty requirements in SB 10 and deleting inconsistent provisions.
  - (d) How the amendment will assist in the effective administration of the statutes: It will conform to the new statutory requirements.
  
- (3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Prelicensure programs of nursing, approximately 100; Nursing faculty, number unknown.
  
- (4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:
  - (a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Programs of nursing will have new faculty qualifications for potential faculty members to meet.
  - (b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): It is impossible to determine the cost.
  - (c) As a result of compliance, what benefits will accrue to the entities identified in question (3): They will have less stringent qualifications to meet for potential faculty.
  
- (5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:
  - (a) Initially: It is impossible to determine the cost to the agency to implement this amendment. Any potential costs would be included in the ordinary operating budget of the agency.
  - (b) On a continuing basis: N/A
  
- (6) What is the source of the funding to be used for the implementation and enforcement of this

administrative regulation: Agency funds.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase is contemplated.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: It does not.

(9) TIERING: Is tiering applied? Tiering is not applicable because the changes affect all entities in the same manner.

FISCAL NOTE

201 KAR 20:310

Contact Person: Jeffrey Prather

Phone: (502) 338-2851

Email: [Jeffrey.prather@ky.gov](mailto:Jeffrey.prather@ky.gov)

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Board of Nursing.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 314.111, 314.131.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? None.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? None.

(c) How much will it cost to administer this program for the first year? No additional cost.

(d) How much will it cost to administer this program for subsequent years? No additional cost.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation:

(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.

(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year? It is impossible to determine.

(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years? It is impossible to determine.

(c) How much will it cost the regulated entities for the first year? It is impossible to determine.

(d) How much will it cost the regulated entities for subsequent years? It is impossible to determine.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Cost Savings (+/-):

Expenditures (+/-):

Other Explanation:

(5) Explain whether this administrative regulation will have a major economic impact, as defined below. "Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. [KRS 13A.010(13)] It does not.