# Kentucky Board of Nursing Annual Report 2011-2012

KENTUCKY BOARD OF NURSING 312 Whittington Pkwy., Suite 300 · Louisville, KY 40222-5172 800-305-2042 or 502-429-3300 · www.kbn.ky.gov

## BOARD MEMBERS

Carol Komara, RN, President Lexington

Sally Baxter, RN, Vice-President Maysville

Gail I. Wise, RN, Secretary Mayslick

Sonia Rudolph, APRN , Financial Officer Lousville

Patricia Birchfield, APRN (Lexington)

Kathy Burr, LPN (Adairville)

Christe S. Coe , APRN (Louisville)

Ann Fultz, LPN (Ashland)

Nicholas E. Hammonds, RN (Morehead)

Makeda Harris, Citizen-at-Large (Louisville)

Jimmy T. Isenberg (Glasgow)

Kelly R. Jenkins, RN (Waverly)

Susan Mudd, RN (Bardstown)

Anita F. Simmons, Citizen-at-Large (Hopkinsville)

Natalie J. Tate, LPN (Paducah)

Anne H. Veno, RN (Crestwood)

## COMMITTEE MEETINGS

Education Committee Consumer Protection Committee Sep. 15, 2011 Nov. 17, 2011 Jan. 5, 2012 Mar. 8, 2012 May 10, 2012

Governance Committee Sep. 15, 2011 Nov. 17, 2011 Jan. 5, 2012 Mar. 8, 2012 May 10, 2012

Sep. 15, 2011 Nov. 17, 2011 Jan. 5, 2012 Mar. 8, 2012 May 10, 2012

Practice Committee Sep. 16, 2011 Nov. 18, 2011 Jan. 6, 2012 Mar. 9, 2012 May 11, 2012

## **BOARD MEETINGS**

October 13-14, 2011 Regular Meeting

> August 24, 2011 Regular Meeting

December 9, 2011 Regular Meeting

February 10, 2012

Regular Meeting

April 12-13, 2012 Regular Meeting

June 14-15, 2012 Annual Meeting

## **BOARD OFFICERS**

ELECTED APRIL 2012 President: Carol Komara Vice-President: Sally Baxter Secretary: Gail I. Wise Financial O.: Sonia Rudolph <u>2010-2011</u> Carol Komara Sally Baxter Gail I. Wise Sonia Rudolph

<u>2009-2010</u> Jimmy T. Isenberg Patricia Birchfield Gail I. Wise Sonia Rudolph

## KENTUCKY BOARD OF NURSING

### MISSION

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

### CORE VALUES

In order to protect the public, we are committed to:

### EXCELLENCE

Excellence and quality by delivering consistent, effective, and efficient services.

### INTEGRITY

Honesty, fairness, and objectivity in the development and enforcement of laws and regulations.

### **R**ESPONSIVENESS

Taking initiative, communicating openly, and demonstrating care and concern in all endeavors.

### COLLABORATION

Working in a cooperative spirit while maintaining respect for all individuals.

## GOAL 1

Sound defensible, regulatory practices that protect the public through a Just Culture model.

- Create opportunities for interagency policy development and collaboration.
- Continue enhancements for the disciplinary action processes.
- Continue enhancements for the alternative to disciplinary action processes.
- Increase public awareness and understanding of the role and purpose of the Board of Nursing.
- Increase the public's participation in regulatory decision making.
- Continue to plan and evaluate the nursing education requirements, practice issues, and competency determination.
- Regulate nurses and persons who provide nursingrelated acts.

### GOAL 2

Efficient delivery of services that meet the needs of consumers and regulated entities.

- Maintain an organizational structure that promotes effective utilization of agency resources.
- Enhance communications and positive image of KBN.

### VISION

We aspire to:

### DELIVER

benchmark-quality services in healthcare regulation.

### MEET

the challenges of a dynamic and ever-changing healthcare environment.

### HAVE

an organizational environment that fosters creativity, innovation, and outstanding leadership.

### HAVE

a committed and appropriately compensated Board/staff who have exceptional knowledge and skills.

## ACHIEVE

integration of regulatory efforts affecting the health of the public.

HAVE effective and efficient board functions.

- Continue to implement workflow redesign for selected agency services.
- Monitor mutual recognition initiatives.
- Continue electronic enhancements to licensure and credentialing processes.

### GOAL 3

Optimal use of technology that supports agency services.

- Plan for implementation of the agency Information Resources Plan.
- Improve utilization of communications technology.
- Explore new technologies to enhance agency and board functions.

### GOAL 4

An organizational culture that promotes job satisfaction and career development.

- Increase staff involvement in agency planning and policy implementation.
- Enhance orientation and development programs for the members of the Board, committees, and councils.
- Enhance means to increase service recognition of volunteers, Board and staff members.
- Monitor and maintain appropriate compensation for employees and Board members.
- Increase understanding of job functions throughout the agency.

### **BOARD OF NURSING COMPOSITION, STRUCTURE & OPERATIONS**

### **BOARD ACTIVITIES**

All meetings of the Board and its committees and councils were held in open session as required by the Kentucky open meetings law. The commitment of the members of KBN and the dedication of its staff continued in unabated fashion. Appreciation for this service by KBN staff and members was expressed through the recognition programs of the agency and executive branch of state government. Retiring Board member for FY 2010-11 were Patricia Birchfield, APRN; Ann Fultz, LPN; Sonia Rudolph, APRN and Gail I. Wise, RN. Reappointed Board members were Christe Coe, APRN and Susan Mudd, RN. Newly appointed Board member was Natalie Tate, LPN.

### COMMITTEES, COUNCILS, GROUPS, PANELS

#### Advanced Practice Registered Nurse Council

Related organizations nominate representatives for membership on the APRN Council, as an advisory body to KBN. The council advises and recommends practice standards regarding the performance of acts relative to nurse anesthesia, nurse-midwifery, nurse practitioner, and clinical nurse specialist practice.

Chair: Patricia Birchfield, APRN Jessica L. Estes, APRN, KNA Wendy Fletcher, APRN, KCNP/NM Scott Greenwell, RPh, KBPh Marilyn Osborne, APRN-M, KCNP/NM Staff Coord: Sharon Mercer, RN

Kristin V. Paul, APRN, KNA Leandra Price, APRN-CNS, KNA David Schwytzer, APRN-A, KyANA Russell L. Travis, MD, KBML

#### **CONSUMER PROTECTION COMMITTEE\***

The Consumer Protection Committee considers those matters related to investigation and disciplinary processes and preparation of hearing panel members.

Chair: Anita Simmons, C-a-L Susan Mudd, RN Kathy Burr, LPN Sonia Rudolph, APRN Staff Coord: Paula Schenk, RN Makeda Harris, C-a-L

#### **CONTROLLED SUBSTANCES FORMULARY DEVELOPMENT** COMMITTEE

The committee shall serve in an advisory capacity to the Kentucky Board of Nursing in the recommendation of an administrative regulation governing limitations, if any, for specific controlled substances prescribed by APRNs.

Co-Chair: Patricia Birchfield, APRN Co-Chair: C. William Briscoe, MD Staff Coord: Sharon Eli Mercer, RN Julianne Zehnder Ewen, APRN Jeffry Mills, PharmD, KBP John R. White, MD, KBML

#### CREDENTIALS REVIEW PANEL

The Credentials Review Panel considers those matters related to licensure and registration credentials and disciplinary investigation and action not otherwise covered by applicable laws and/or guidelines set by KBN.

Chair: Anne Veno, RN Christe Coe, APRN

Ann Fultz, RN Kelly R. Jenkins, RN

#### **DIALYSIS TECHNICIAN ADVISORY COUNCIL**

The Dialysis Technician Advisory Council advises KBN regarding qualifications, standards for training, competency determination of dialysis technicians, and all other matters related to dialysis technicians.

Chair: Ann Fultz, LPN Kimberly Dawn Bailey, DT Robyn Denton, RN Latoyia Garnett, DT

Mellisia McCloud, DT Ann Boone Rich, RN Kathy Roberts, RN Staff Coord: Sharon Mercer, RN

#### **EDUCATION COMMITTEE\***

The Education Committee considers those matters related to mandatory continuing education and prelicensure nursing education in the Commonwealth.

Chair: Carol Komara, RN Ann Fultz, LPN Jimmy Isenberg, RN (through Feb. 2012)

Susan Mudd, RN Anne H. Veno, RN Gail I. Wise, RN Staff Coord: Patty Spurr, RN

#### GOVERNANCE PANEL

The Governance Panel is responsible for reviewing Board guidelines, structure, operations, and Board member development. It submits recommendations to KBN on these and related matters.

Chair: Jimmv Isenberg, RN Kathy Burr, LPN Ann Fultz, LPN

Anita Simmons, C-a-L Gail I. Wise, RN Staff Coord: Nathan Goldman, JD

Charlotte Beason, RN, Alternate Delegate

Christe Coe, APRN, Alternate Delegate

#### **KBN** CONNECTION EDITORIAL PANEL

The KBN Connection Editorial Panel considers those matters related to planning for the preparation and publication of the official KBN magazine, published 4 times in FY 07-08.

Chair: Gail I. Wise, RN Kathv Burr, LPN Staff Coord: Diane Hancock Makeda Harris, C-a-L Ann Tino, RN, Staff

#### **NCSBN DELEGATES**

Carol Komara, RN Sally Baxter, RN

#### **PRACTICE COMMITTEE\***

The Practice Committee considers those matters related to the interpretation of the legal scope of nursing practice as defined in Kentucky Nursing Laws and KBN administrative regulations. Committee deliberations may include review of other relevant statutes and regulations as necessary.

Chair: Christe Coe, APRN Patricia Birchfield, APRN Nicholas E. Hammonds, RN Kelly R. Jenkins, RN Staff Coord: Sharon Mercer, RN Sonia Rudolph, APRN Natalie Tate, LPN Anne Veno, RN

#### **UAP MEDICATIONS TASK FORCE**

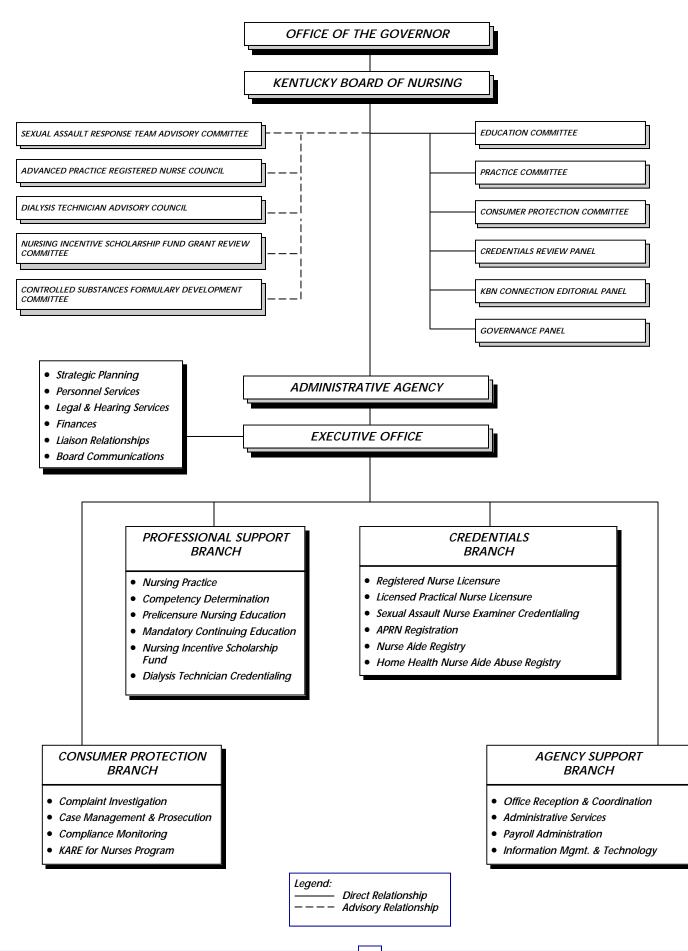
The UAP Task Force exists to Identify and explore issues surrounding the administration of medication by unlicensed personnel; provide overall direction and guidance to subcommittee(s) composed of a variety of individuals with knowledge and expertise regarding the administration of medication by unlicensed personnel; and advise the KBN Practice Committee on future utilization and oversight of unlicensed personnel administering medication.

Chair: Jimmy T. Isenberg, RN (through Feb. 2011)

Staff Coord: Sharon Mercer, RN

\* KBN President and Executive Director are Ex-Officio Members

## REGULATION OF NURSES, AND NURSING EDUCATION AND PRACTICE



## HIGHLIGHTS OF BOARD ACTIVITIES: FY 11-12

#### Advisory Opinion Statements

- Approved AOS #39, Scope of Registered Nursing Practice in the Deactivation of Internal Defibrillator
- Approved the revisions to AOS #21, "Roles of Nurses and Technicians in Dialysis"
- Approved the revisions to AOS #26, "Roles of Nurses in the Delivery of Prehospital Emergency Care Via Ambulance Services"
- Approved the revisions to AOS #15, "Roles of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel"
- Approved the revisions to AOS #20, "Roles of Registered Nurses in Invasive Cardiac Procedures"
- Approved the revisions to AOS #33, "Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department"
- Approved the revisions to AOS #8, "Role of the Registered Nurse First Assistant"
- Approved the revisions to AOS #4, "Roles of Nurses in the Administration of Medication Per Intraspinal Routes"
- Approved the revisions to AOS #23, "The Application and Removal of a Cast by Nurses, and Closed Reduction of a Fracture by Advanced Practice Registered Nurses"
- Approved the revisions to KAR 20:056, Advanced practice registered nurse licensure, program requirements, recognition of a national certifying organization
- Approved the revisions to KAR 20:057, Scope and standards of practice of advanced practice registered nurses
- Approved the revisions to KAR 20:490, Licensed practical nurse intravenous therapy scope of practice

#### New Nursing Practice Advisory Opinions

Issued one (1) nursing practice advisory opinions addressing:

 Scope of Registered Nurse Practice—application of magnet to temporarily disable and Automatic Implanted Cardioverter Defibrillator

#### Nurse Incentive Scholarship Fund

- Nurse Incentive Scholarship Fund directed the funding of 47 continuation applicants (\$124,500), All new applicants in the 80 – 100 point range based on criteria scoring (projected \$19,500; 4PN to AND, 3 RN to BSN). New applicants in the 75 point range pursuing nursing degrees with a graduation date before July 2014 (projected \$163,500; 28 RN to BSN, 30 RN to Graduate). Total projected new scholarship funding: \$183,000. Total projected funding for 2012-2013 will be \$307,500.
- Approved amendments to 201 KAR 20:260, Organization and administrative standards for prelicensure programs of nursing.
- Approved 201 KAR 20:340, Students in prelicensure registered nursing and practical nursing programs be approved.

#### Applications and Proposals for New Pre-licensure Programs of Nursing

The Board directed that the following actions be taken:

- Bowling Green Technical College, Bowling Green be granted Developmental approval status for the establishment of an Associate Degree program.
- ITT Technical College, Lexington be placed on hold for the establishment of an Associate Degree program until additional data identified in the Requirements to be Met are identified by the Education Consultant.
- Lincoln College of Technology, Florence be placed on hold for the establishment of an Associate Degree program until additional data identified in the Requirements to be Met are identified by the Education Consultant.

#### Proposed Curriculum Changes

The Board directed that the following actions be taken:

• The Board approved curriculum changes at the following schools: Galen College of Nursing, Louisville; National College, Pikeville; Spencerian College, Louisville.

#### Applications and Proposals for New Baccalaureate Degree Programs of Nursing

The Board directed that the following actions be taken:

• Union College, Barbourville be granted Developmental approval status for the establishment of a Baccalaureate Degree program.

## HIGHLIGHTS OF BOARD ACTIVITIES: FY 11-12 (CONT.)

#### Applications and proposals for Advanced Practice Programs of Nursing

The Board directed that the following actions be taken:

- Site The following programs be granted Initial approval for the development of a Doctorate of Nursing Practice program: Bellarmine University, Louisville; Frontier Nursing University, Hyden.
- The following existing APRN program be granted Full approval that will allow the program to proceed with future admissions of students to their identified tracks: University of Kentucky, Lexington.

#### Program of Nursing Survey Visit Reports

The Board approved the reports and recommendations for the site visits conducted by Board staff in compliance with 201 KAR 20:260-360:

- Visits Related to Annual NCLEX Pass Rate: Northern Kentucky University, BSN, Highland Heights; Spalding University, BSN, Louisville; Spencerian College, ADN, Louisville; St. Catharine College, ADN, St. Catharine; ATA College, PN, Louisville.
- Visits Related to New Program Development- Pre-Admission Site Visit: Lincoln College of Technology, PN, Florence.
- Visits Related to New Program Development- Site Evaluation /Proposal phase: Bowling Green Technical College, ADN, Glasgow.
- Focused Visit and Evaluation of Educational Facility: Lindsey Wilson College, BSN, Columbia.
- First Graduating Class Visit: National College, ADN, Pikeville.
- Focused Site Visit: Brown Mackie College-Northern Kentucky, PN, Ft. Mitchell (Concern submitted by student); Beckfield College, PN, Florence (Site visit re-validation); Spencerian College, ADN, Louisville.
- 8-Year Visits: Bowling Green Technical College, PN, Glasgow; Galen College of Nursing, PN, Louisville; Hopkinsville Community & Technical College, PN, Hopkinsville; Jefferson Community & Technical College, PN, Louisville, Shelbyville, and Carrollton; Bluegrass Community & Technical College, PN, Danville.
- Site Visits Conducted Concurrently with Accrediting Agencies (Graduate Programs): University of Kentucky, Lexington.

#### Program of Nursing Annual Approval Status

The Board approved the approval status for each of the programs of nursing across the Commonwealth based on meeting the standards of 201 KAR 20:260 – 20:360:

- Seventy-one (71) nursing programs be retained on Full approval status.
- Two (2) nursing programs be moved from Conditional approval status to Full approval status.
- Eight (8) nursing program be retained on Full approval status pending satisfactory submission of a self
- study report that evaluates factors that contributed to annual pass rate of less than 85 percent for first-time testers on NCLEX examination.
- Three (3) nursing programs are on Conditional approval status.
- Four (4) nursing programs are on Conditional approval as a result of two or more consecutive years of NCLEX pass rates of <85% for first time testers pending satisfactory submission of a self-study report that evaluates factors that have contributed to low pass rate and a consultative site visit by a representative of the Board.
- Twelve (12) nursing programs be retained on Initial approval status pending graduating of first class and a site visit from a Board representative to determine program compliance with Kentucky standards of 201 KAR 20:260 through 20:360.
- One (1) nursing program be retained on Developmental approval status pending admission of the first class.
- Five (5) nursing programs will no longer be admitting and shall be removed from the list of active programs and placed on an inactive program list.
- One (1) nursing program was moved from Probational approval status to Conditional approval status. Due to litigation, Spencerian College Associate Program approval status review and change was not part of the Education Committee report. The Board made the decision to change the approval status at the April 2012 Board Meeting.

#### Program of Nursing Annual Reports

- Approved the 2011-2012 Annual Reports submitted by the Programs of Nursing.
- Held five (5) "Education Regulations—Faculty Essentials" programs during the year to educate nursing faculty on the education regulations and operations of the Board of Nursing.

## KENTUCKY ADMINISTRATIVE REGULATIONS

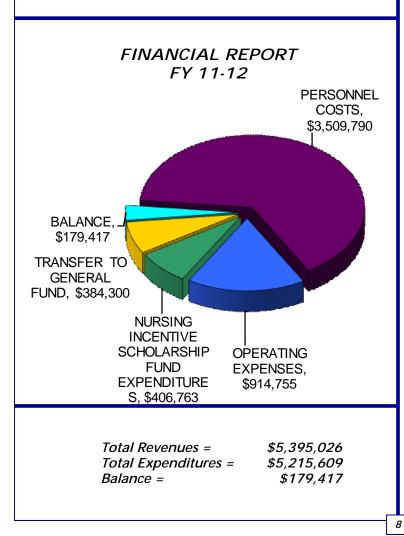
Kentucky Administrative Regulations are enacted to operationalize statutory language and carry force and effect of law. Administrative regulations were revised during FY 11-12 as indicated by the effective date, and are available on the Legislative Research Commission's website (http://www.lrc.state.ky.us/kar/TITLE201.htm#chp020).

201 K	entucky Administrative Regulation 20:	Effective/Revision Date:
.056	Advanced Practice Registered Nurse Licensure	
	Scope & Standards of Practice of APRNs	
	Advanced Practice Registered Nurse Controlled Substances Prescriptions	
	Doctor of Nursing Practice (DNP) Degree	
	Standards for APRN Programs of Nursing	
.070	Licensure by Examination	
.085	Licensure Periods	
.095	Inactive Nurse Licensure Status	
.110	Licensure by Endorsement	
.161	Investigation & Disposition of Complaints	
.162	Procedures for Disciplinary Hearings Pursuant to KRS 314.091	
	Standards for Approved Evaluators	
.200	Definitions for Mandatory Continuing Education	
	Continuing Competency Requirements	
	Provider Approval	
.225	Reinstatement of Licensure	
.230	Renewal of Licenses	
.235	The Prevention of Transmission of HIV & HBV by Nurses	07/10
	Fees for Applications & for Services	
	Organization & Administration Standards for Prelicensure Programs of Nursing	
	Programs of Nursing Surveys	
	Standards for Prelicensure RN & PN Programs	
	Standards for Prelicensure RN & PN Extension Programs	
	Faculty for Prelicensure RN & PN Programs	
	Standards for Curriculum of Prelicensure RN Programs	
	Students in Prelicensure RN & PN Programs	
	Education Facilities & Resources for Prelicensure RN & PN Programs	
	Evaluation of Prelicensure RN & PN Programs	
	Applications for Licensure & Registration	
	Standards for Refresher Course Approval	
	Nursing Incentive Scholarship Fund	
	Delegation of Nursing Tasks to Unlicensed Persons	
	Expungement of Records	
	Sexual Assault Nurse Examiner Program Standards & Credential Requirements	
	Determination of Death by a RN Employed by an Ambulance Service	
	Discontinuance of Resuscitation by a RN Employed by an Ambulance Service	
	Training of RNs Employed by an Ambulance Service in Determination of Death and	
	Discontinuance of Resuscitation	
	Alternative Program	
	Declaratory Rulings	
	Dialysis Technician Credentialing Requirements and Training Program Standards	
	Licensure of Graduates of Foreign Nursing Schools	
	Licensed Practical Nurse Intravenous Therapy Scope of Practice	
	Nurse Licensure Compact	
	Voluntary Relinquishment of a License or Credential	

### FINANCIAL OPERATIONS

The Kentucky Board of Nursing (KBN) is a fee-supported agency. No general revenue tax dollars are expended by the agency. The revenue balance for FY 11-12 was \$8,566,829 with expenditures totaling \$5,084,370. Funds from the balance are carried forward each year to meet the upcoming fiscal year budget needs. Revenue for FY 11-12 included income from the annual renewal of RN and LPN licenses. In 2006-2007, KBN moved from a biennial to an annual renewal period for licensees in an effort to maintain a more consistent and even generation of revenue. The ratio of 3.5:1, RN to LPN results in a disproportional yearly revenue generation in a biennial renewal period. The 2011-2012 enacted budget allowed for a transfer of \$384,300 to the General Fund.

Various KBN publications and informational materials were offered for a nominal fee that covered duplicating costs. Many brochures were available at no charge, including Continuing Education, SANE Program, KARE for Nurses Program, Disciplinary Process and Procedures for Nursing Licensure, Assuring Safe Nursing Care in Kentucky, Criminal Convictions, and Nursing Workforce Competency Development Grants. Four editions of the agency newsletter, the KBN Connection, were published. The KBN website continued to offer a multitude of information and services.



### FEES FOR LICENSURE AND REGISTRATION APPLICATIONS AND SERVICES

#### APPLICATION FEES

RN/LPN:	
Endorsement	\$150
Examination	\$110
Reinstatement	\$120
Renewal*	
Retired Licensure Status	\$25
Dialysis Technician (DT):	
Initial Credential	•
Credential Renewal	* -
Filed After Deadline	,
Credential Reinstatement	-
Duplicate Renewal Fee Initial Training Program Approval	
Continued Training Program Approval	
Filed After Deadline	
Reinstatement Training Program Approval	
Advanced Practice Registered Nurse (APRN):	
Initial License	\$150
Reinstatement	
Renewal	¥ -
Sexual Assault Nurse Examiner (SANE):	
Credential	\$120
Reinstatement	
Renewal	
Continuing Education (CE):	
Initial Provider or Program Approval	\$400
Reinstatement of Provider Approval	
Renewal of Provider Approval	
Offering Approval Via Staff Review	\$10
Application to Establish a Prelicensure PON	\$2,000
SERVICES	
Data Roster Download (Online):	<b>€</b> 400**
More than 20,000 Individuals 5,000-20,000 Individuals	
Less than 5,000 Individuals	
** Plus 4-5% Processing Fee	
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Publications:	
Scope of Practice Determination Guidelines	\$0.40 (Per Copy)
Summary Report of KBN Advisory Opinions	
on Nursing Practice Issues	( 1)
KBN History	\$8.50 (Per Copy)
Validations:	
Online Licensure **	
BasicNo	
Enhanced \$0.10 per license valic	
Premium\$0.10 per license valio	
DT Credential (Written Validation)	\$10
Original Licensure to entities other than U.S.	
Boards of Nursing	
Individual/Written List	\$50
(1st individual - \$20 each additional)	
Miscellaneous:	
Name Change	
Nursing Certificate	
Duplicated Material	
Copy of an Examination Result or Transcript	
Paper Copy of all LPN, RN, and APRN Applicati	
Returned Check Fee	\$35
* \$5 of fee to NISF; \$5 of fee to KARE	
** Fees are for services provided by another party; non	e retained by KBN

## **INVESTIGATION & DISCIPLINARY ACTION**

### **DISCIPLINARY ACTIONS FY 11-12**

<u>RN</u> <u>PN</u>

#### TYPE OF DISCIPLINARY ACTION

Licenses Permanently Revoked	0	2
Licenses Revoked		
Licenses Immediately Temporarily Suspended	33	15
Licenses Suspended/Continued on Suspension		
Licenses Suspended Immediately for Failure to		
Comply with Order	40	13
Licenses Suspended/Stayed Followed by Limitation/Probation or Probation		
Limitation/Probation or Probation	0	0
Licenses Issued/Reinstated on Limited/Probated		
or Probated	14	8
Licensed Permanently Surrendered	14 0	0
Licenses Voluntarily Surrendered		
Admitted to NCLEX or Endorsement Probated/Limited		
Admitted to NCLEX of Endorsement Granted/Reprimand		
Admitted/Reinstated to KARE Program via Decision		
Licenses Granted Reinstatement/No Hearing Required		
Licenses Reprimanded		
Licenses Reprimanded with Urine Drug Screens		3
Licenses Denied		
Privilege to Practice Immediately Temporarily Suspended		
Privilege to Practice Suspended		
Privilege to Practice Denied Reinstatement		
Privilege to Practice Continued on Suspension		
Cease and Desist Notices Issued		
Temporary Work Permits Voided	0	
APRN License Voluntarily Surrendered		
APRN License Placed on Limitation/Probation		
APRN License Denied Reinstatement	2	
Decisions Appealed	0	
Licenses Cleared/Removed from Probation	14	
Consent Decrees/Employment	21	
* Consent Decrees/Practice	1	
Consent Decrees/Continuing Education		
Consent Decrees/Positive Urine Drug Screen		
	•	

#### TYPE OF DISCIPLINARY ACTION

Consent Decrees/Dialysis Technicians (DT)	7
* DT Credential Permanently Revoked	)
DT Credential Immediately Temporarily Suspended	)
DT Credential Suspended/Continued on Suspension	
DT Credential Suspended For Failure to Comply with Order 1	
DT Credential Denied Reinstatement	)

\* = New Entry

#### COMPLAINT ACTIVITY

Complaints/Convictions/Information Filed Away - No Formal Action Deemed Necessary Reviewed Bv:

riewed By:
Credentials Review Panel149
Staff Member Review610
Board Member Review

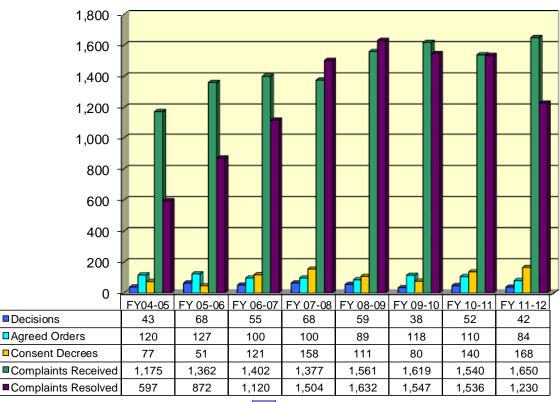
TOTAL NUMBER OF COMPLAINTS RECEIVED: 1,650 TOTAL NUMBER OF COMPLAINTS RESOLVED: 1,230

ACTIVE CASES AS OF JUNE 30, 2012: 325

The Kentucky Nursing Laws provide that KBN may "deny, limit, revoke, probate or suspend any license to practice nursing issued by the Board or applied for . . . or to otherwise discipline a licensee or to deny admission to the licensure examination, or to require evidence of evaluation and therapy . . . . "

KBN continues its efforts to make the public aware of the investigatory and disciplinary procedures and to emphasize the legal requirement to, and importance of, reporting nurses who are suspected of engaging in unsafe or illegal practices.

### SUMMARY OF DISCIPLINARY ACTIONS FY 04-05 TO 11-12

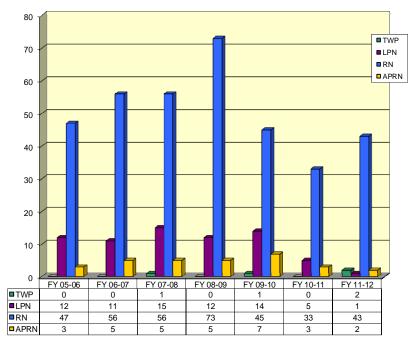


## **COMPLIANCE — PROBATION & KARE PROGRAM**

The Compliance Section of the Consumer Protection Branch monitors nursing licensees that have been placed on probation with the Kentucky Board of Nursing or participants whom have requested admission and are being monitored by the Kentucky Alternative Recovery Effort (KARE) for Nurses Program.

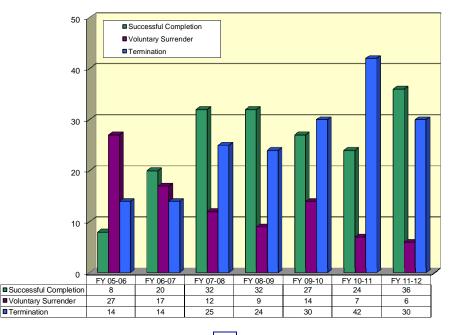
The KARE for Nurses program was developed and is offered by the Kentucky Board of Nursing. The purpose of the KARE for Nurses Program is to identify nurses whose abilities to provide nursing care are compromised by dependency on drugs or alcohol, and to assist these nurses so that they can return to competent and safe nursing practice. This program is a therapeutic monitoring program that offers an opportunity for education, treatment and recovery for the chemically dependent nurse. Participants must meet certain eligibility criteria and voluntarily enter into an agreement with the program.

The KARE for Nurses Program recognizes that nurses are individuals who have dedicated their lives to helping others and are now in need of help themselves. The foundation of the program is that substance abuse is treatable and that the recovery and return of competent nursing practice is in the best interest of the nurse and public health.



### KARE PROGRAM ADMISSIONS: FY 05-06 TO 11-12

#### KARE PROGRAM COMPLETIONS, SURRENDERS, & TERMINATIONS: FY 05-06 TO 11-12



## NURSING PRACTICE

KBN interprets the legal scope of nursing practice according to the Kentucky Nursing Laws and KBN administrative regulations in the determination of safe and effective nursing care for the citizens of the Commonwealth. In response to inquiries requesting interpretation of the legal scope of nursing practice, KBN has published formal advisory opinion statements as guidelines for safe practice (see the list below), as well as issuing other opinions on nursing practice matters. Advisory Opinion Statements are available on the KBN website (http://kbn.ky.gov/practice/AOS). During FY 11-12, the Board issued nursing practice advisory opinions addressing:

• RN Scope of Practice – application of a magnet to temporarily disable an Automatic Implanted Cardioverter Defibrillator (AICD) The following Advisory Opinion Statements were approved:

• AOS #39, Scope of Registered Nursing Practice in the Deactivation of Internal Defibrillator (AICD)– approved 04/2012 The following Advisory Opinion Statements were revised:

- AOS #21, Roles of Nurses and Technicians in Dialysis revised 12/2011
- AOS #26, Roles of Nurses in the Delivery of Prehospital Emergency Care Via Ambulance Services revised 12/2011
- AOS #15, Roles of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel revised 02/2012
- AOS #20, Roles of Registered Nurses in Invasive Cardiac Procedures revised 02/2012
- AOS #33, Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department reviewed 02/2012
- AOS #8, Role of the Registered Nurse First Assistant reviewed 06/2012
- AOS #4, Roles of Nurses in the Administration of Medication Per Intraspinal Routes reviewed 06/2012
- AOS #23, The Application and Removal of a Cast by Nurses, and Closed Reduction of a Fracture by Advanced Practice Registered Nurses reviewed 06/2012

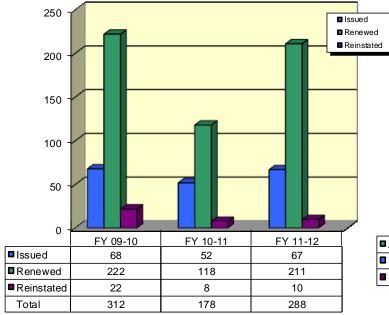
KR	N Advisory Opinion Statements <u>E</u>	ffective/Revision Date
#03	Recommended Course Content, Intravenous (IV) Therapy for Registered Nurses and Licensed Practical Nurses	
#04	Roles of Nurses in the Administration of Medication per Intraspinal Routes	
#05	Performance of Advanced Life Support Procedures by Nurses	
#08	Role of the RN First Assistant	
#09	Performance of Wound Debridement by Nurses	
#10	Roles of Nurses in the Care of Intrapartum Patients	
#11	Roles of Nurses in the Insertion and Removal of a Nasogastric Tube and in the Reinsertion of a Gastrostomy Tube	04/08
#13	Roles of Nurses in Psychiatric and Mental Health Nursing Practice	
#14	Roles of Nurses in the Implementation of Patient Care Orders	
#15	Roles of Nurses in the Supervision and Delegation of Nursing Acts to Unlicensed Personnel	
#16	Roles of Nurses in the Administration of Medication via Various Routes	
#17	Roles of Nurses in the Administration of "PRN" Medication and Placebos	
#18	Employment of Nursing Students as Nursing Personnel Using Either an Academic or a "Nurse Extern" Service Mod	del04/08
#19	Responsibility and Accountability of Nurses for Patient Care Assignments and Nursing Care Delivery	
#20	Roles of RNs in Invasive Cardiac Procedures	
#21	Roles of Nurses and Technicians in Dialysis	
#22	Roles of Nurses who Provide "Private Duty" Nursing	
#23	Application and Removal of a Cast by Nurses and Closed Reduction of a Fracture by ARNPs	
#24	Patient Abandonment by Nurses	
#25	Peripheral Insertion of Central and Midline Intravenous Catheters by Nurses	
#26	Roles of Nurses in the Delivery of Prehospital Emergency Medical Care via Ambulance Services	
#27	Components of LPN Practice	
#28	Roles of Nurses and Unlicensed Nursing Personnel in Endoscopic Procedures	
#29	Cardiopulmonary/Respiratory Nursing Practice	
#30	School Nursing Practice	04/07
#31	Removal of Femoral Access Devices (Sheaths) and Use of Mechanical Compression Devices by Nurses	
#32	Administration of Medications for Sedation by Nurses	
#33	Roles of Nurses in the Delegation of Tasks to Paramedics in a Hospital Emergency Department	
#34	Roles of Nurses in Maintaining Confidentiality of Patient Information	
#35	Cosmetic and Dermatological Procedures by Nurses	
#36	Role of Nurses in Resuscitation	
#37	Role of the Advanced Registered Nurse Practitioner in the Prescribing of Medications to Self and/or Family	
#38	Facilitation of Self-Administration of Medications in a Non-Healthcare Setting	
#39	Scope of Registered Nursing Practice in the Deactivation of Internal Defibrillator (AICD)	

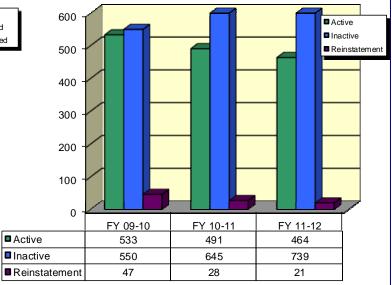
## DIALYSIS TECHNICIANS

APPROVED DIALYSIS TECHNICIAN TRAINING PROGRAMS AS OF JUNE 30, 2012							
PROGRAM NAME	CITY & STATE	11-12 GRADUATES					
DCI - DT Training Program	Cincinnati, OH & Maysville, KY	0					
FMCNA of Greenup p/k/a FMCNA of Ashland	Greenup, KY	2					
FMCNA Louisville p/k/a FMCNA of Louisville & FMCNA of S. Indiana	Louisville, KY	23					
FMCNA of Prestonsburg p/k/a FMCNA of Somerset	Prestonsburg, KY	4					
FMCNA Lexington East p/k/a FMCNA of S. Indiana & FMCNA Prestonsburg	Lexington, KY	14					
DCI DT Training Program of Kentucky	Lexington, KY	1					
DaVita LaGrange Kentucky DT Training Program a/k/a Taylor County Dialysis	Campbellsville, KY	14					
University of Louisville Kidney Disease Program DT Training Program	Louisville, KY	3					
FMCNA Kuttawa p/k/a FMCNA of Murray & Renal Care Group of W. KY	Murray, KY	2					
Collins Career Center DT Training Program	Chesapeake, OH	0					
DSI Louisville DT Training Program	Louisville, KY	0					
DaVita KY Buccaneer DT Training Program	Strongsville, OH	2					
Renal Advantage KY DT Training Program	Brentwood, TN	2					
	TOTAL NUMBER OF GRADUATES	66					

### DT CREDENTIALS ISSUED FY 09-10 TO 11-12

### DT CREDENTIALS SUMMARY FY 09-10 TO 11-12





## NURSING INCENTIVE SCHOLARSHIP FUND

The Nursing Incentive Scholarship Fund (NISF) provides scholarships to Kentucky residents for attending approved prelicensure nursing programs (registered nurse or practical nurse) or graduate nursing programs. Scholarship recipients must work as nurses in Kentucky for one year for each academic year funded. To be eligible for consideration, an applicant must have been admitted to a nursing program. Applications for scholarships are accepted from January 1 to June 1. The amount of each scholarship is \$3,000 per year, or \$1,500 per semester. If a recipient does not complete the nursing program within the time frame specified by the program, or if the recipient does not complete the required employment, then the recipient is required to repay any NISF monies awarded, plus accrued interest.

The Nursing Incentive Scholarship Grant Review Committee was created to accept grant proposals for workforce competency development, which is defined as organized, structured or formal activity designed to improve the ability of nurses to meet the health care needs of the citizens of Kentucky. The nursing workforce is defined as actual and/or potential licensed nursing population. The Board directed that no consideration be given to any workforce development grant proposals until there is resolution of the current Kentucky budget issues.

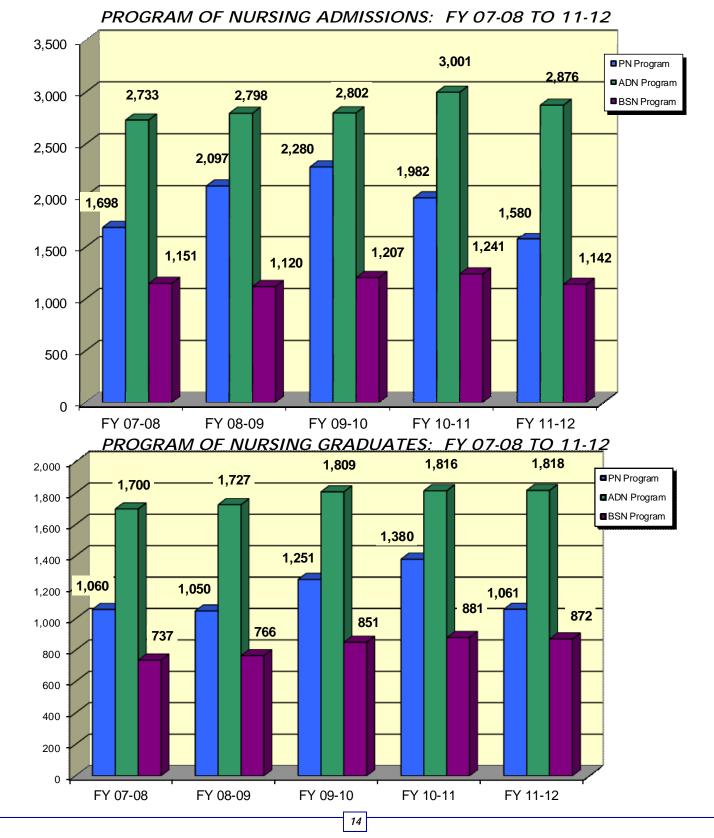
KENTUCKY BOARD OF NURSING NURSING INCENTIVE SCHOLARSHIP FUND SUMMARY: FY 06-07 TO 11-12										
APPLICATION DATA FY06-07 FY 07-08 FY 08-09 FY 09-10 FY 10-11 F										
Apps Processed	728	627	535	543	423	464				
Apps Complete/Not Funded	611	488	415	426	252	304				
Apps Incomplete/Not Funded	48	44	27	20	15	17				
Apps Approved/Funded:	116	95	93	97	156	160				
Initial	88	65	87	64	133	115				
Continuation	28	30	6	33	23	45				
Recipients Completed	78	79	130	60	77	72				

NISF AWARD DATA	FY06-07	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
NISF Awards Granted:	\$307,500	\$273,500	\$267,000	\$268,500	\$450,000	\$445,500
Initial	\$238,500	\$192,500	\$250,500	\$184,500	\$390,000	\$331,500
Continuation	\$69,000	\$81,000	\$16,500	\$84,000	\$60,000	\$114,000

Note: The amount of awards varies each fiscal year due to cancellations, deferments, and defaults.

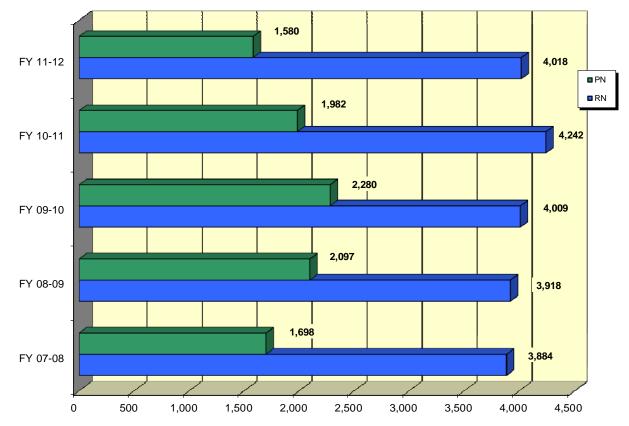
## NURSING EDUCATION

The Kentucky Board of Nursing (KBN) is the legally authorized body in the Commonwealth to approve programs of nursing preparing persons for eligibility for licensure as nurses. Through the provisions of the Kentucky Nursing Laws and applicable Kentucky administrative regulations, the Board prescribes standards for educational institutions offering programs preparing candidates for licensure as nurses. As of June 30, 2012, there were a total of 15 baccalaureate nursing (BSN) programs, 39 associate degree (ADN) programs, and 31 practical nursing (PN) programs approved by KBN. The National Council of State Boards of Nursing (NCSBN) publishes the national NCLEX pass rate for first-time and repeat testers on their website (www.ncsbn.org). For 2012, the pass rate for first-time testers for the NCLEX-RN was 90 percent and Kentucky's average was 92 percent. The NCLEX-PN national pass rate for 2012 was 84 percent and Kentucky's pass rate was 89 percent.

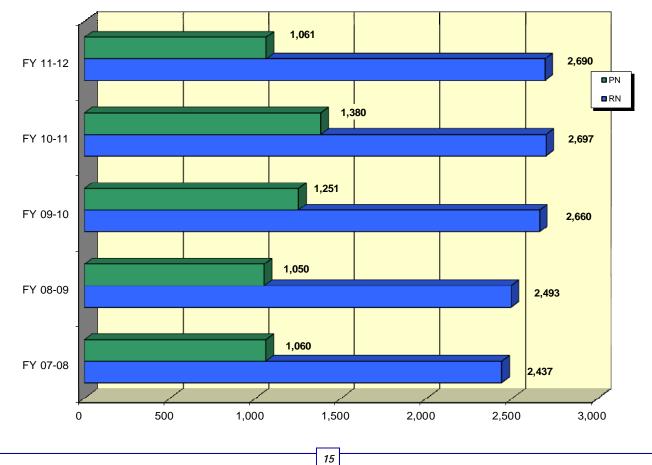


## NURSING EDUCATION (CONTINUED)

REGISTERED NURSE & PRACTICAL NURSE ADMISSIONS: FY 07-08 TO 10-12



REGISTERED NURSE & PRACTICAL NURSE GRADUATES: FY 07-08 TO 11-12



## NURSING EDUCATION (CONTINUED)

KENTUCKY BOARD OF NURSING: NCLEX PASS RATE REPORT: 2007 TO 2012 BACCALAUREATE PROGRAMS OF NURSING							
BSN PROGRAMS	2007	2008	2009	2010	2011	2012	
Bellarmine University	92%	93%	96%	92%	91%	94%	
Berea College	58%	63%	85%	75%	80%	83%	
Eastern Kentucky University	99%	98%	99%	98%	96%	100%	
Kentucky Christian University	67%	80%	93%	73%	100%	100%	
Morehead State University	86%	96%	100%	100%	100%	94%	
Murray State University	89%	91%	92%	85%	89%	89%	
Northern Kentucky University	83%	78%	72%	80%	91%	99%	
Spalding University	76%	86%	76%	84%	85%	93%	
Thomas More College	74%	75%	87%	67%	86%	64%	
University of Kentucky	97%	95%	98%	97%	94%	97%	
University of Louisville	89%	96%	95%	97%	95%	93%	
University of Louisville - Owensboro	N/A	N/A	N/A	N/A	N/A	84%	
Western Kentucky University	89%	92%	91%	97%	100%	97%	

#### KENTUCKY BOARD OF NURSING: NCLEX PASS RATE REPORT: 2007 TO 2012 ASSOCIATE DEGREE PROGRAMS OF NURSING

ADN PROGRAMS	2007	2008	2009	2010	2011	2012
Ashland Community & Technical College	80%	98%	96%	90%	87%	80%
Beckfield College	69%	83%	86%	90%	87%	84%
Big Sandy Community & Technical College	70%	93%	92%	72%	72%	92%
Bluegrass Community & Technical College—Cooper Drive	91%	88%	88%	75%	86%	100%
Bluegrass Community & Technical College—Lawrenceburg	N/A	N/A	67%	100%	96%	100%
Campbellsville University	N/A	73%	100%	100%	93%	91%
Daymar College	N/A	N/A	N/A	N/A	N/A	50%
Eastern Kentucky University	95%	99%	96%	94%	93%	94%
Elizabethtown Community & Technical College	98%	100%	97%	93%	97%	100%
Galen College of Nursing	76%	81%	85%	80%	86%	94%
Gateway Community & Technical College	56%	61%	91%	98%	100%	98%
Hazard Community & Technical College—Hazard	71%	97%	93%	94%	82%	67%
Hazard Community & Technical College—Lees	60%	76%	78%	93%	84%	86%
Henderson Community College	88%	84%	85%	96%	93%	97%
Hopkinsville Community College	90%	95%	100%	100%	98%	98%
Jefferson Community & Technical College	82%	89%	89%	85%	87%	93%
Kentucky State University	78%	91%	94%	91%	88%	95%
Lincoln Memorial University—Corbin	73%	96%	93%	82%	100%	93%
Madisonville Community College	89%	91%	89%	91%	87%	95%
Maysville Community & Technical College	91%	75%	86%	89%	81%	90%
Maysville Community & Technical College—Licking Valley	N/A	N/A	N/A	76%	N/A	83%
Midway College	82%	98%	92%	89%	86%	91%
Morehead State University	79%	92%	92%	96%	98%	91%
Morehead State University—Mt. Sterling	N/A	N/A	100%	91%	86%	87%
National College	N/A	N/A	N/A	33%	100%	75%
Owensboro Community & Technical College	92%	89%	86%	80%	86%	95%
Somerset Community College	96%	94%	91%	100%	98%	98%
Somerset Community College—Laurel	N/A	N/A	N/A	N/A	N/A	100%
SC KY Community & Technical College—Glasgow	N/A	N/A	100%	97%	100%	96%
SE KY Community & Technical College—Cumberland	84%	86%	100%	86%	86%	86%
SE KY Community & Technical College—Pineville	N/A	79%	76%	90%	81%	77%

# NURSING EDUCATION (CONTINUED)

ASSOCIATE DEGREE PROGRAMS OF NURSING (CONTINUED)									
ADN PROGRAMS (CONT.)	2007	2008	2009	2010	2011	2012			
Spencerian College	79%	72%	81%	79%	77%	98%			
St. Catharine College	71%	100%	79%	65%	90%	76%			
University of Pikeville	69%	100%	90%	93%	85%	94%			
West KY Community & Technical College	85%	91%	91%	88%	99%	93%			
Western KY University—Bowling Green	90%	86%	93%	93%	92%	85%			
Western KY University—Glasgow	100%	89%	100%	100%	93%	90%			
KENTUCKY BOARD OF NU PROGR	RSING: NCL RAMS OF PR			: 2006 TO 2	2011				
PN PROGRAMS	2007	2008	2009	2010	2011	2012			
Ashland Community & Technical College	87%	87%	96%	94%	77%	93%			
ATA Career Education	N/A	N/A	68%	78%	56%	70%			
Beckfield College	N/A	N/A	N/A	95%	96%	100%			
Big Sandy Comm. & Technical College—Mayo/Paintsville	96%	94%	96%	100%	100%	93%			
Bluegrass Community & Technical College—Danville	100%	90%	91%	90%	89%	88%			
Bluegrass Community & Technical College—Leestown	93%	94%	93%	98%	100%	98%			
Brown Mackie College—Northern KY	100%	95%	98%	89%	91%	75%			
Brown Mackie College—Louisville	N/A	N/A	N/A	92%	81%	88%			
Elizabethtown Community & Technical College	N/A	76%	100%	100%	100%	100%			
Galen College of Nursing	97%	93%	92%	90%	86%	85%			
Gateway Community & Technical College	N/A	93%	N/A	100%	100%	100%			
Hazard Community & Technical College	89%	94%	86%	93%	75%	92%			
Henderson Community College	100%	100%	100%	100%	100%	100%			
Hopkinsville Community College	N/A	100%	95%	100%	100%	100%			
Jefferson Community & Technical College—Carrollton	75%	N/A	89%	85%	88%	100%			
Jefferson Community & Technical College—Louisville	100%	92%	94%	85%	86%	84%			
Jefferson Community & Technical College—Shelbyville	94%	100%	81%	93%	93%	82%			
Lincoln College of Technology	N/A	N/A	N/A	N/A	N/A	83%			
Madisonville Community College	96%	96%	100%	96%	97%	94%			
Maysville Community & Technical College	97%	100%	100%	93%	96%	98%			
Maysville Community & Technical College—Licking Valley	93%	91%	75%	100%	100%	92%			
Maysville Community & Technical College—Montgomery	N/A	N/A	N/A	100%	90%	N/A			
Maysville Community & Technical College—Rowan	100%	93%	81%	100%	81%	91%			
Owensboro Community & Technical College	100%	97%	100%	100%	100%	100%			
Somerset Community College	100%	96%	100%	100%	100%	100%			
Somerset Community College—Clinton Center	N/A	100%	94%	100%	100%	93%			
Somerset Community College—Laurel	N/A	92%	94%	N/A	100%	100%			
SC KY Community & Technical College—Glasgow	N/A	96%	93%	100%	94%	100%			
SC KY Community & Technical College—Bowling Green	N/A	N/A	100%	100%	100%	100%			
SE KY Community & Technical College—Cumberland	91%	91%	92%	100%	90%	81%			
SE KY Community & Technical College—Pineville	100%	88%	100%	100%	100%	90%			
Spencerian College	98%	93%	96%	98%	96%	92%			
West KY Community & Technical College—Murray	100%	83%	100%	100%	100%	100%			
West KY Community & Technical College—Paducah	92%	84%	75%	97%	100%	100%			

## CONTINUING EDUCATION/COMPETENCY

As a mechanism to promote continuing competency, the Kentucky Nursing Laws (KRS 314.073) mandate that licensees shall be required to document continuing competency during the immediate past licensure period as prescribed in regulations promulgated by the Board. KBN is the Commonwealth agency legally authorized to approve providers of mandatory CE. During FY 11-12, according to KBN Administrative Regulation 201 KAR 20:215, validation of CE/competency must have included one of the following:

- 1. Proof of having earned 14 approved contact hours; OR
- 2. A national certification or recertification related to the nurse's practice role (in effect during the whole period or initially earned during the period); **OR**
- 3. Completion of a nursing research project as principal investigator, coinvestigator, or project director. Must have been qualitative or quantitative in nature, utilized research methodology, and included a summary of the findings; **OR**
- 4. Publication of a nursing related article; OR
- 5. A professional nursing education presentation that was developed by the presenter, presented to nurses or other health professionals, and evidenced by a program brochure, course syllabi, or a letter from the offering provider identifying the licensee's participation as the presenter of the offering; **OR**
- 6. Participation as a preceptor for at least one nursing student or new employee undergoing orientation (must have been for at least 120 hours, have had a one-to-one relationship with student or employee, may have precepted more than one student during the 120 hours, and preceptorship shall have been evidenced by written documentation from the educational institution or preceptor's supervisor); **OR**
- 7. Proof of having earned 7 approved contact hours, **PLUS** a nursing employment evaluation that was satisfactory for continued employment (must have been signed by supervisor with the name, address, and phone number of the employer included), and covered at least 6 months of the earning period.
- 8. College courses, designated by a nursing course number, and courses in physical and social sciences counted toward CE hours. One semester credit hour equaled 15 contact hours; one quarter credit hour equaled 12 contact hours.

### CHANGES IN FY 11-12

#### Pediatric Abusive Head Trauma or "Shaken Baby Syndrome"

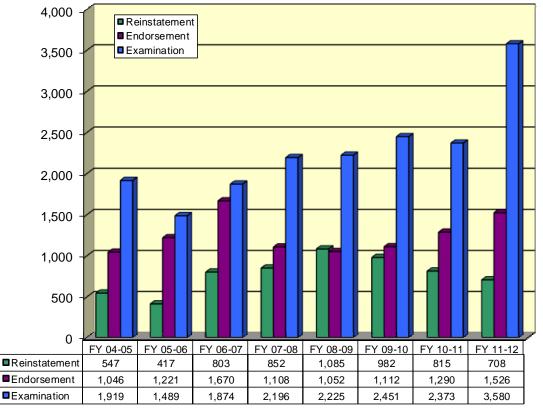
In 2010 the General Assembly passed House Bill 285, sponsored by Rep Addia Wucher, which amended the Nursing Continuing Competency requirements to include that all nurses participate in a one-time educational program on pediatric abusive head trauma or "shaken baby syndrome". By mandate, the Board is requiring all <u>present</u> and <u>future</u> licensees to complete a <u>one-time training</u> course of at least one and one-half (1.5) hours covering the recognition and prevention of pediatric abusive head trauma. Nurses licensed before July 15, 2010 must complete the course by December 31, 2013. Nurses licensed **on or after** July 15, 2010 must receive the education within three (3) years of their initial licensure dates. The course can be offered by any CE provider accepted by KBN. Nurses will only need to submit proof of completion of the requirement should they be audited.

### CE PROVIDERS BY CATEGORY

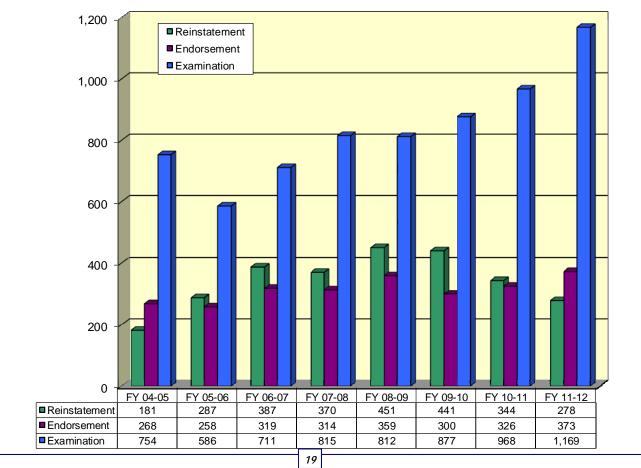
Professional Nursing Organizations	.5
Related Nursing Organizations	.3
Educational Institutions2	28
Health Service Agencies11	11
Health Related Organizations	25
Commercial Organizations1	10
Other	15
Refresher Courses	.4
Total20	)1
Individual Review of CE Offerings	32

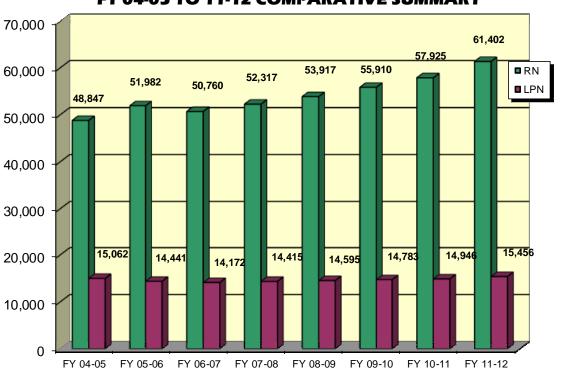
## LICENSURE & REGISTRATION STATISTICS

### **REGISTERED NURSE** LICENSURE BY ENDORSEMENT, REINSTATEMENT & EXAMINATION FY 04-05 TO 11-12



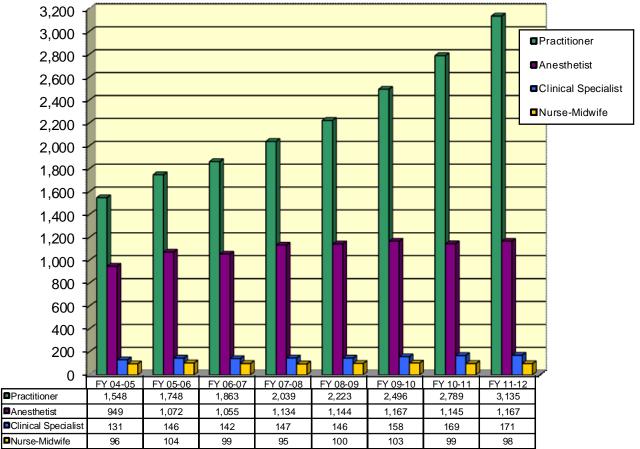
### PRACTICAL NURSE LICENSURE BY ENDORSEMENT, REINSTATEMENT & EXAMINATION FY 04-05 TO 11-12



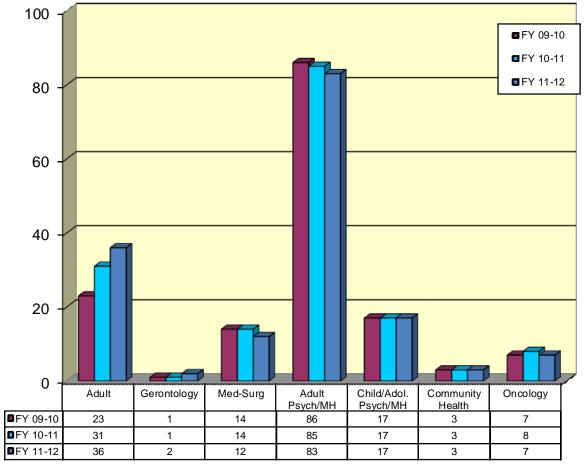


### REGISTERED NURSE & PRACTICAL NURSE LICENSEES FY 04-05 TO 11-12 COMPARATIVE SUMMARY

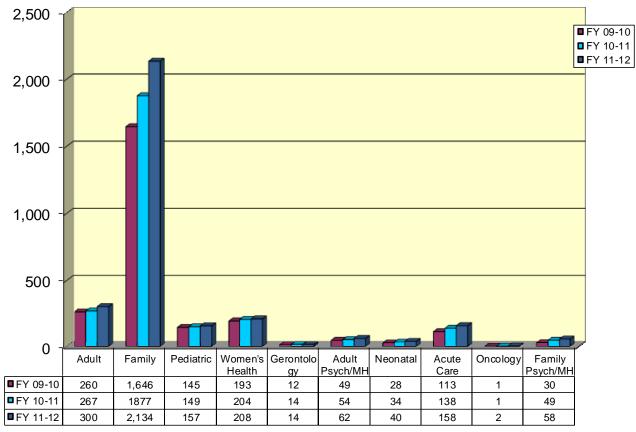
### ADVANCED PRACTICE REGISTERED NURSES: FY 04-05 TO 11-12 COMPARATIVE SUMMARY BY DESIGNATION



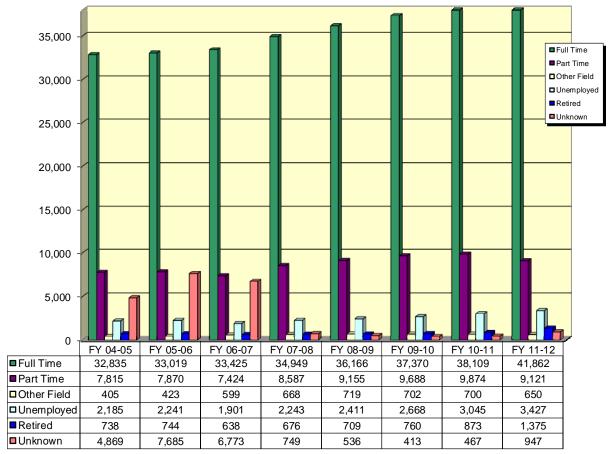
### **CLINICAL NURSE SPECIALISTS FY 09-10 TO 11-12 COMPARATIVE SUMMARY**



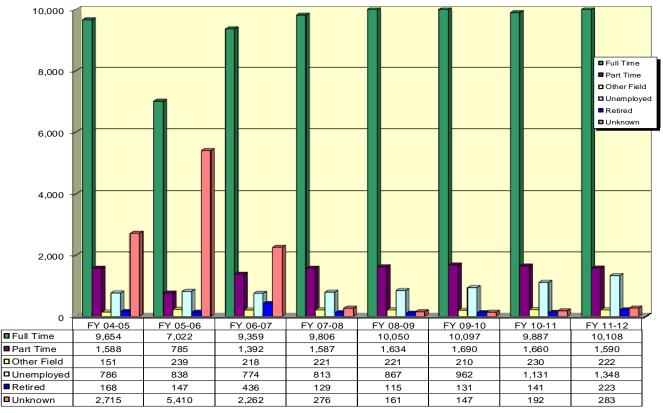
NURSE PRACTITIONERS FY 09-10 TO 11-12 COMPARATIVE SUMMARY

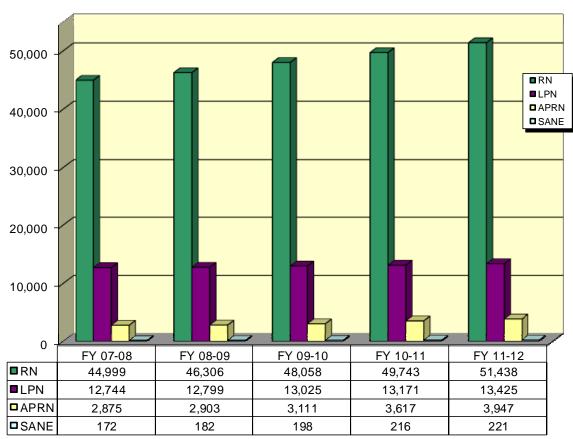


### SUMMARY OF REGISTERED NURSES BY EMPLOYMENT STATUS: FY 04-05 TO 11-12



#### SUMMARY OF PRACTICAL NURSES BY EMPLOYMENT STATUS: FY 04-05 TO 11-12





#### **SUMMARY OF LICENSURE RENEWALS: FY 07-08 TO 11-12**

SUMMARY OF POST-RENEWAL LAPSE RATES (PERCENTAGE): FY 07-08 TO 11-12

