

502-429-3300  
800-305-2042  
Fax: 502-429-3311

# KENTUCKY BOARD OF NURSING

312 Whittington Parkway, Suite 300  
Louisville, Kentucky 40222-5172  
kbn.ky.gov

Andy Beshear  
Governor

## BOARD MEETING MINUTES

February 15, 2024

### MEMBERS PRESENT:

Audria Denker, RN, President  
Erica Lemberger, RN, Vice-President  
Missy Bentley, RN  
Susan Ellis, RN  
Ruth Martin, RN  
Anne Veno, RN  
Amber Powell, APRN  
Jana Bailey, APRN  
Missy Bentley, RN  
Miriam Haas, LPN  
Jacob Higgins, RN  
Karen Sherfey, LPN

### MEMBERS – VIDEO/AUDIO PHONE CONFERENCE:

Ashley Adkins, Citizen-at-Large  
Jane Smith, Citizen-at-Large  
Dana Steffey, LPN

### MEMBERS ABSENT:

Jennifer Harpe-Bates, APRN  
Hope Jones, RN  
Darlena Jones, RN

### STAFF PRESENT:

Kelly Jenkins, Executive Director, KBN  
Joe Lally, Deputy Executive Director, KBN  
Jeff Prather, General Counsel, KBN  
Joy Pennington, Executive Nurse Academic Officer, KBN  
Anna Adams, Administrative Services Supervisor, KBN  
Erica Klimchak, Administrative Assistant, KBN  
Valerie Jones, Education Consultant, KBN  
Ann Shepherd, Education Consultant, KBN  
Morgan Ransdell, Hearing Officer, KBN  
Eric Velazquez, IM Branch Supervisor, KBN

Jason Oney, Resource Management Analyst, KBN  
Ann Tino, Investigation Branch Manager, KBN  
Myra Goldman, Professional Support Branch Manager,  
KBN  
JD Fleming, Legal Services Supervisor, KBN  
John Michul, Staff Attorney, KBN  
Amy Wheeler, Staff Attorney, KBN  
Melissa Haddaway, Compliance Branch Manager, KBN  
Ruby King, Credentials Branch Manager, KBN  
Carrie Ballard, Administrative Specialist III, KBN  
Kim Noonung, Paralegal, KBN  
Kelsea Williams, Legal Secretary, KBN  
Amanda Padgett, Resource Management Analyst, KBN  
Rachel Williamson, Resource Management Analyst, KBN  
Shannon Whitlock, Program Coordinator, KBN  
Jill Cambron, Program Coordinator, KBN  
Chris Edwards, APRN Investigator, KBN

**GUESTS PRESENT:**

**GUESTS AND STAFF –VIDEO/AUDIO  
PHONE CONFERENCE:**

Lisa Sosnin, Nursing Investigator, KBN  
Bonnie Fenwick, Nursing Investigator, KBN  
Chrissy Blazer, Nursing Investigator, KBN  
Lisa Scott, Nursing Investigator, KBN  
Bridget Smith, Program Coordinator, KBN  
Marina McWilliams, APRN Investigation Manager, KBN  
Denise Vititoe, Nursing Investigator, KBN  
Sarah Wimsatt, Program Coordinator, KBN  
Debbie Seely, Nursing Investigator, KBN  
Susan Lawson, Nursing Investigator, KBN

**CALL TO ORDER**

Audria Denker, President, called the February 15, 2024 meeting of the Kentucky Board of Nursing to order at 10:07 am in person and by videoconference via Zoom software application.

**ROLL CALL/DECLARATION OF QUORUM**

Erica Klimchak, Administrative Assistant, called roll. Dr. Denker declared a quorum.

**STAFF RECOGNITION**

Melissa Haddaway was recognized by Board member Anne Veno for 10 years of service at KBN.

**ADOPTION OF AGENDA**

A flexible agenda was adopted.

**APPROVAL OF MINUTES**

The minutes from the December 14, 2023 regular Board meeting and the January 5, 2024 special called Board meeting were presented. Upon a motion made by Erica Lemberger,

and seconded by Susan Ellis, the December 14, 2023 and January 5, 2024 meeting minutes were approved as written. No one voted in opposition or abstained from voting.

### **PRESIDENT'S REPORT**

Audria Denker, Board President, provided a brief update from the NCSBN scientific symposium in January. In March she will be attending the NCSBN mid-year conference in Atlanta.

### **FINANCIAL OFFICER'S REPORT**

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report, which included the February financial summary. Upon a motion made by Erica Lemberger, and seconded by Jacob Higgins, the Financial Officer's Report was approved as written. No one voted in opposition or abstained from voting.

### **EXECUTIVE DIRECTOR'S REPORT**

Kelly Jenkins, Executive Director, presented the Executive Director's report and included information on the following:

- Building
- Operations
  - i. ORBS
  - ii. Laserfiche
  - iii. Presentation at KHA Workforce Committee
- Professional Development
- Personnel
- Training for Board Members

Upon a motion made by Erica Lemberger, and seconded by Jana Bailey, the Executive Director's Report was accepted as written. No one voted in opposition or abstained from voting.

### **Dialysis Technician Advisory Council Appointments**

Audria Denker presented two nominees, Amy Simms and Tyne Strickert, for reappointment to two open seats on the DT Advisory Council.

Upon a motion made by Anne Veno, and seconded by Amber Powell, Amy Simms was reappointed to the DT Advisory Council for a four-year term from June 2024-June 2028.

Upon a motion made by Ruth Martin, and seconded by Miriam Haas, Tyne Strickert was reappointed to the DT Advisory Council for a four-year term from June 2024-June 2028.

### **GENERAL COUNSEL'S REPORT**

Jeff Prather, General Counsel, presented the General Counsel's Report. Upon a motion made by Erica Lemberger, and seconded by Karen Sherfey, the report was approved as written. No one voted in opposition or abstained from voting.

### **CREDENTIALS REVIEW PANEL**

The reports of the Credentials Review Panel meetings held December 14, 2023 and January 18, 2024 were presented. The Board reviewed and approved by acclamation the reports as written. No one voted in opposition or abstained from voting.

### **EDUCATION COMMITTEE**

The January 18, 2024 Education Committee meeting report was presented. The Board reviewed and approved by acclamation the report as written. No one voted in opposition or abstained from voting. The following actions were taken after discussion and presentation of background materials:

**Workgroup findings and recommendations for 201 KAR 20:320**

- It was the recommendation of the committee that:  
**The workgroup findings and recommendations for 201 KAR 20:320 be approved as presented.**

Dr. Lemberger outlined the proposed changes to sections 5 and 6 from the workgroup.

Upon a motion made by Erica Lemberger, and seconded by Jacob Higgins, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

**American National University ASN Program curriculum change**

- It was the recommendation of the committee that:  
**The American National University Curriculum Change be approved with the requirement of a physical facility and the requirement that students be assessed in person included.**

Upon a motion made by Erica Lemberger, and seconded by Jacob Higgins, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

**Bellarmino University PMHNP degree program letter of intent**

- It was the recommendation of the committee that:  
**The Bellarmino University PMHNP Degree Program Letter of Intent be approved as presented.**

Upon a motion made by Erica Lemberger, and seconded by Amber Powell, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

**Bellarmino University PMHNP post-masters program letter of intent**

- It was the recommendation of KBN staff that:  
**The Bellarmino University PMHNP Post-Masters Program Letter of Intent be approved as presented.**

Upon a motion made by Erica Lemberger, and seconded by Ruth Martin, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

**Southeast Community and Technical College PN Program site visit**

- It was the recommendation of the committee that:  
**Southeast PN Program of Nursing be granted continued Program Approval Status, with semi-annual progress reports providing supportive evidence concerning the program's progress in fulfilling the Requirements to be Met, to be submitted beginning March 31, 2024.**

Upon a motion made by Erica Lemberger, and seconded by Miriam Haas, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

## **Southeast Community and Technical College ASN Program – Cumberland Campus site visit**

- It was the recommendation of the committee that:  
**Southeast ASN Program of Nursing be granted continued Program Approval Status, with semi-annual progress reports providing supportive evidence concerning the program’s progress in fulfilling the Requirements to be Met, to be submitted beginning March 31, 2024.**

Upon a motion made by Erica Lemberger, and seconded by Amber Powell, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

## **PRACTICE COMMITTEE**

The January 19, 2024 Practice Committee meeting report was presented. The Board reviewed and approved by acclamation the report as written. No one voted in opposition or abstained from voting. Following discussion and presentation of background materials, the following actions were taken:

### **ADVISORY OPINION STATEMENTS**

#### **AOS #41 RN/LPN scope of practice determination guidelines**

- It was the recommendation of the committee that:  
**Advisory Opinion Statement (AOS) #41 RN/LPN Scope of Practice Determination Guidelines, be approved by the Board with specified additional revisions.**

Upon a motion made by Jacob Higgins, and seconded by Miriam Haas, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

#### **AOS #43 Roles of nurses in the administration of subanesthetic dosing Ketamine for psychiatric disorders and chronic pain**

- It was the recommendation of the committee that:  
**Advisory Opinion Statement (AOS) #43 Roles of Nurses in the Administration of Subanesthetic Dosing Ketamine for Psychiatric Disorders and Chronic Pain, be approved.**

Upon a motion made by Jacob Higgins, and seconded by Miriam Haas, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

## **CONSUMER PROTECTION COMMITTEE**

The report of the Consumer Protection meeting held January 18, 2024 was presented. The Board reviewed and approved by acclamation the report as written. No one voted in opposition or abstained from voting.

## **ADVANCED PRACTICE REGISTERED NURSE COUNCIL**

The February 7, 2024 Advanced Practice Registered Nurse (APRN) Council meeting report was presented. The Board reviewed and approved by acclamation the report as written. No one voted in opposition or abstained from voting. Following discussion and presentation of background materials, the following actions were taken:

### **Fluoroscopy advisory opinion**

- It was the recommendation of the council that:  
**The utilization of fluoroscopy and the operation of the equipment in the**

**performance of fluoroscopic-guided procedures is within the scope of advanced practice registered nursing practice for the APRN who is currently educationally prepared and clinically competent in performing fluoroscopic-guided procedures.**

**Additionally, 1) the fluoroscopic-guided procedure and the utilization of fluoroscopy is performed according to an established, approved policy and procedure in the health care facility; and 2) the APRN has been granted clinical privileges to perform the fluoroscopic-guided procedure and utilize fluoroscopy through the health care facility's credentialing process.**

Upon a motion made by Jana Bailey, and seconded by Jacob Higgins, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

#### **AOS #24 patient abandonment**

- It was the recommendation of the council that:  
**AOS #24 Patient Abandonment by Nurses opinion revised to include APRNs be approved by the Board as submitted and that the matter be referred to the Practice Committee for review of the opinion as it relates to RN and LPN practice.**

Upon a motion made by Jana Bailey, and seconded by Jacob Higgins, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

#### **Advisory opinion bone marrow aspiration**

- It was the recommendation of the council that:  
**The October 2000 advisory opinion on the performance of bone marrow aspiration and biopsy by registered nurses which states: "It is not within the scope of practice of registered nurses to perform these acts. This does not preclude the qualified advanced registered nurse practitioner from the performance of the acts", be revised, as follows:**

**It is within the scope of practice of an APRN who is educationally prepared and clinically competent to perform bone marrow aspiration and biopsy. It is not within the scope of a registered nurse to perform such acts.**

Upon a motion made by Jana Bailey, and seconded by Susan Ellis, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

#### **AOS #23 the application and removal of a cast by nurses and closed reduction of a fracture by an APRN**

- It was the recommendation of the council that:  
**The section discussing APRN practice within AOS #23 The Application and Removal of a Cast by Nurses and Closed Reduction of Fracture by Advanced Practice Registered Nurses, be reaffirmed.**

Upon a motion made by Jana Bailey, and seconded by Miriam Haas, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

#### **GOVERNANCE COMMITTEE**

The January 18, 2024 Governance Committee meeting report was presented. The Board

reviewed and approved by acclamation the report as written. No one voted in opposition or abstained from voting. Following discussion and presentation of background materials, the following actions were taken:

**201 KAR 20:360 – MIR update to annual report**

- It was the recommendation of the committee that:  
**The proposed changes to 201 KAR 20:360 – MIR update to annual report be approved as written.**

Upon a motion made by Erica Lemberger, and seconded by Jacob Higgins, the Board approved the committee recommendations. No one voted in opposition or abstained from voting.

**Strategic Plan**

- A copy of the updated strategic plan was provided for information only.

**CLOSED SESSION**

Kelly Jenkins read the following language before the meeting was moved to closed session:

*No matters may be discussed during a closed session other than those within the scope of the topic announced prior to convening the closed session.*

*No final action may be taken while in closed session. After the public meeting reconvenes, final action may be taken, but final action is not required.*

*Upon returning to public session, any final action regarding matters discussed in closed session should be moved and voted upon.*

***Pursuant to KRS 61.810(1)(j), the purpose of the closed session is for “QUASI-JUDICIAL DELIBERATIONS”***

*Definition: Deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments, at which neither the person involved, his representatives, nor any other individual not a member of the agency's governing body or staff is present, but not including any meetings of planning commissions, zoning commissions, or boards of adjustment.*

***Pursuant to KRS 61.810(1)(f), the purpose of the closed session is to discuss “PERSONNEL ACTIONS”***

*Definition: Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's, or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret.*

The meeting was moved to closed session at 11:11 am to discuss Recommended Orders and personnel actions. The meeting was reconvened in open session at 11:38 am.

**ACTION ON LICENSES**

The President called for action on Recommended Orders.

**AFTER HAVING CONSIDERED THE RECORD, THE FOLLOWING RECOMMENDED ORDERS WITH NO EXCEPTIONS FILED WERE ADOPTED:**



<b>Decision Number</b>	<b>Name</b>	<b>License Number</b>
052-02-24	Bingham, Lakie	RN License No. 1129997/ TN RN License No. 267976
053-02-24	Carney, Abigail	RN License No. 1150159
054-02-24	Christensen, Keram	RN License No. 1130840
055-02-24	Clonch, Lanita	LPN License No. 2053099
056-02-24	Coots, Mekisha	LPN License No. 2033061
058-02-24	Eldridge, Jessica	TN LPN License No. 70922
059-02-24	Fields, Cynthia	RN License No. 1145439
060-02-24	Fischer, Christina	RN License No. 1137281
061-02-24	Ihaza, Veronica	TN MSL LPN License No. 85564
062-02-24	Kelley, Michelle	RN License No. 1159756
063-02-24	Legner, Aimee	LPN License No. 2042632
064-02-24	McClain, Keith	RN License No. 1136363/ Reinstatement App
065-02-24	McKinney, Peggy	RN License No. 1075726
066-02-24	Morphis, Kimberly	TX LPN License No. 190586
067-02-24	Ortiz, Eric	RN License No. 1156348/ NY RN License No. 744383
068-02-24	Preston, Deborah	LPN License No. 2021756
069-02-24	Simrell, Kristin	LPN License No. 2050932
070-02-24	Vanderpool, Robert	RN License No. 1074802
071-02-24	Ward, Cheryl	RN License No. 1079574/ TN RN License No. 196360
072-02-24	Webb, Teresa	TN RN License No. 104550

A motion to accept the orders regarding the above list of licensees was made by Amber Powell, and seconded by Jana Bailey. The motion carried with no one voting in opposition and no one abstaining from the vote.

**AFTER HAVING CONSIDERED THE RECORD, THE FOLLOWING RECOMMENDED ORDERS WITH NO EXCEPTIONS FILED WERE ADOPTED:**

<b>Decision Number</b>	<b>Name</b>	<b>License Number</b>
057-02-24	Decker, Regina	LPN License No. 2038684

After discussion, it was the recommendation of the Board that:

- Decision Number 057-02-24 be amended to include that 15 of the CE hours included in



the order include the following topics: misappropriation, protection of vulnerable population, abuse of vulnerable populations, professional boundaries.

A motion to accept the amended order regarding the above licensee was made by Ruth Martin, and seconded by Erica Lemberger. The motion carried with no one voting in opposition and no one abstaining from the vote.

**PERSONNEL AFFIRMATIONS**

The personnel affirmations were provided in closed session for information only.

**OTHER**

The following items were provided for information only:

- KBN organizational chart, updated February 7, 2024

**ADJOURNMENT**

Upon a motion made by Anne Venno, and seconded by Jacob Higgins, the meeting was adjourned at 11:45 am.

**ATTEST**

**APPROVED:**

*Audra Denker, DNP, RN, FAAN*

\_\_\_\_\_  
President

4/18/2024

Date

/emk/ 0224