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KENTUCKY BOARD OF NURSING

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Andy Beshear
Governor

BOARD MEETING MINUTES

June 20, 2024

MEMBERS PRESENT:

Erica Lemberger, RN, Vice-President
Missy Bentley, RN
Jennifer Harpe-Bates, APRN
Ruth Martin, RN
Anne Veno, RN
Ashley Adkins, Citizen-at-Large

MEMBERS – VIDEO/AUDIO PHONE CONFERENCE:

Audria Denker, RN, President
Jana Bailey, APRN
Jake Higgins, RN
Darlena Jones, RN
Hope Jones, RN
Amber Powell, APRN
Karen Sherfey, LPN
Dana Steffey, LPN
Jane Smith, Citizen-at-Large

MEMBERS ABSENT:

Susan Ellis, RN
Miriam Haas, LPN

STAFF PRESENT:

Jeff Prather, General Counsel, KBN
Anna Adams, Administrative Services Supervisor, KBN
Erica Klimchak, Administrative Assistant, KBN
Nathan Goldman, Hearing Officer, KBN
Jason Oney, Resource Management Analyst, KBN
Myra Goldman, Professional Support Branch Manager,
KBN
JD Fleming, Legal Services Supervisor, KBN
Melissa Haddaway, Compliance Branch Manager, KBN

Ruby King, Credentials Branch Manager, KBN

GUESTS PRESENT:

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

Joe Lally, Deputy Executive Director, KBN
Kelly Jenkins, Executive Director, KBN
Eric Velazquez, IM Supervisor, KBN
Joy Pennington, Executive Nurse Academic Officer, KBN
Ann Tino, Investigation Branch Manager, KBN
Amy Wheeler, Staff Attorney, KBN
Marina McWilliams, APRN Investigation Manager, KBN
Ruthellen Arwood, Nursing Investigator, KBN
John Michul, Staff Attorney, KBN
Bridget Smith, Program Coordinator, KBN
Valerie Jones, Education Consultant, KBN
James Glass
Liz Sturgeon
Sarah Stine
Erin Snyder
Rosanna Crackel
Tammy Graham
Nancy Barnum
Kimberly Daugherty
Vins Sutlive
Bruce Branan
Kevin Brown
Sherry Powers
Paul Stephens
David Tudor
Connie Lamb
Patti Rout

David Barr, Staff Attorney, KBN
Amy Wheeler, Staff Attorney, KBN
Amy Petit

CALL TO ORDER

Audria Denker, President, called the June 20, 2024 meeting of the Kentucky Board of Nursing to order at 10:00 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.

ADOPTION OF AGENDA

A flexible agenda was adopted.

APPROVAL OF MINUTES

The minutes from the April 18, 2024 Board meeting were presented. Upon a motion made by Anne Veno, and seconded by Jana Bailey, the April 18, 2024 meeting minutes were approved as written. No one voted in opposition or abstained from voting.

ELECTION OF 2024-25 BOARD VICE PRESIDENT

Erica Klimchak conducted the election of vice president via electronic ballot. Erica Lemberger was re-elected Vice President.

PRESIDENT'S REPORT

Audria Denker, Board President, provided an update on the recent NCSBN National Forum she attended.

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report, which included the May financial summary. The FY24 year-end report will be presented at the August meeting. Upon a motion made by Erica Lemberger, and seconded by Amber Powell, 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:

- An update on summit in Utah she's attending this week
- Building
- Operations
 - i. ORBS
 - ii. Laserfiche
 - iii. Workforce Projection Model
- Professional Development
- Personnel
- Training for Board Members

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

GENERAL COUNSEL'S REPORT

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

Delegation of Authority

Jeff Prather presented the Delegation of Authority document for renewal. Upon a motion made by Amber Powell, and seconded by Erica Lemberger, the document was approved as written for renewal. No one voted in opposition or abstained from voting.

201 KAR 20:320

Jeff Prather presented 201 KAR 20:320, the statement of consideration, and staff comments. Following discussion, it was the recommendation of the General Counsel that:

**The proposed changes to 201 KAR 20:320, with specific revisions, be approved, including:
In section 3, add that the evaluation may be recorded using equipment provided by the PON.**

Upon a motion made by Hope Jones, and seconded by Ruth Martin, the Board approved the General Counsel recommendations. No one voted in opposition or abstained from voting.

Further, it was the recommendation of the General Counsel that:

The language regarding practicum hours included in 2021 KAR 20:320 be revised.

Upon a motion made by Erica Lemberger, and seconded by Ashley Adkins, the Board approved the General Counsel recommendations. No one voted in opposition or abstained from voting.

CREDENTIALS REVIEW PANEL

The reports of the Credentials Review Panel meetings held April 18, 2024 and May 16, 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

March 21 2024- Revised Report

Joy Pennington presented the revised March 21, 2024 Education Committee meeting report, and explained the revisions. Upon a motion made by Erica Lemberger, and seconded by Jane Smith, the Board approved the revised report. No one voted in opposition or abstained from voting.

May 16, 2024

The May 16, 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. Following discussion and presentation of background materials, the following actions were taken:

Asbury University, BSN – Wilmore, Letter of Intent

- It was the recommendation of the committee that:
The Asbury University, BSN – Wilmore, Letter of Intent be approved as presented.

Upon a motion made by Erica Lemberger, and seconded by Ashley Adkins, the Board approved the committee recommendations. No one voted in opposition.

Jake Higgins abstained from vote due to employment

Western Kentucky University DNP – CRNA Program Letter of Intent

- It was the recommendation of the committee that:
The Western Kentucky University DNP – CRNA Program Letter of Intent be approved as presented.

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

Jana Bailey, Darlena Jones and Jennifer Harpe-Bates abstained from vote due to conflicts of interest.

Big Sandy Community and Technical College PN Program Letter of Intent

- It was the recommendation of the committee that:
The Big Sandy Community and Technical College PN Program Letter of Intent be approved as presented.

Upon a motion made by Erica Lemberger, and seconded by Karen Sherfey, the Board approved the committee recommendations. There was one no vote.

Sullivan University ASN – Lexington Site Visit

- It was the recommendation of the committee that:
The requirements to be met as stated in the site visit report be approved with quarterly progress reports providing evidence to those requirements, beginning August 31, 2024, and Sullivan University College of Nursing Associate Program Lexington KY, move from initial status to an approved program of nursing.

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.

201 KAR 20:215

- It was the recommendation of the committee that:
The proposed changes to 201 KAR 20:215 be approved as written.

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

PRACTICE COMMITTEE

The May 17, 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 School Nurse Continuous Glucose Monitoring

- It was the recommendation of the committee that:
School nurses who provide continuous glucose monitoring (CGM) for students during the school day or during school activities should do so only if they are educationally prepared and clinically competent to perform such tasks. The school nurse should never use a personal device for CGM, data collection, or communication between themselves, students, guardians, or healthcare providers due to the risk of confidential student data being compromised. Further, that schools develop internal policies and procedures related to 1) The storage of CGM monitoring devices on school property and 2) Appropriate training guidelines for all staff responsible for CGM devices.

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

Advisory Opinion School Nurse Anti-Choking Devices

- It was the recommendation of the committee that:
In the event of a choking event in the school setting the school nurse should use recommended life-saving protocols as set forth by organizations such as the American Red Cross, American Heart Association, The International Liaison Committee on Resuscitation, etc.

In schools, where such devices are prescribed by a qualified health care provider, school nurses should receive adequate training in the use of anti-choking devices and have evidence of clinical competence and education regarding such training.

Further, it is recommended that schools develop internal policies and procedures related to 1) The use of anti-choking devices in the school setting, and 2) Appropriate training guidelines for all staff in the use of anti-choking devices.

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

ADVISORY OPINION STATEMENTS

AOS #30 Roles of Nurses in School Nursing Practice

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #30 Roles of Nurses in School Nursing Practice, be approved by the Board, with specified revisions.

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

AOS #7 Roles of Nurses in Stapling, Suturing, and the Application of Topical Adhesives

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #7 Roles of Nurses in Wound Closure Procedures, be approved by the Board, with specified revisions.

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

AOS #26 Roles of Nurses in the Performance of Advanced Life Support and Delivery of Emergency Medical Care via Ambulance Services

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #26 Roles of Nurses in the Performance of Advanced Life Support and Delivery of Emergency Medical Care via Ambulance Services be approved by the Board, with specified revisions.

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

AOS #8 Nurses Practicing in the Perioperative Setting

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #8 Roles of Nurses in the Perioperative Setting, be approved by the Board, with specified changes.

Further, Committee Members establish a collaborative workgroup to review the scope of practice of surgical assistants, who become licensed RNs after having received training and employed as surgical assistants but do not meet the qualifications of an RNFA, in perioperative facilities.

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

201 KAR 20:056 Advanced Practice Registered Nurse Licensure and Certification Requirements

- It was the recommendation of the committee that:
201 KAR 20:056 Advanced practice registered nurse licensure and certification requirements, with specific revisions, be approved by the Board.

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

201 KAR 20:057 Scope and Standards of Practice of Advanced Practice Registered Nurses

- It was the recommendation of the committee that:
201 KAR 20:057 Scope and standards of practice of advanced practice registered nurses, be approved by the Board, as submitted.

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

GOVERNANCE COMMITTEE

The May 16, 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 20:230 Renewal of Licenses

- It was the recommendation of the committee that:
The proposed changes to 201 KAR 20:230 be approved as written.

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

201 KAR 20:390 Nursing Incentive Scholarship Fund

- It was the recommendation of the committee that:
The proposed changes to 201 KAR 20:390 be approved as written.

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

CLOSED SESSION

Jeff Prather 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 11:13 am to discuss Recommended Orders and personnel actions. The meeting was reconvened in open session at 11:57 pm.

Upon entering closed session, Dr. Denker had to leave the meeting and Dr. Lemberger assumed the meeting Chair duties.

ACTION ON LICENSES

The Vice President called for action on Recommended Orders.

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

Decision Number	Name	License Number
090-06-24	Antle, Dawn	RN License No. 1079714/ APRN License No. 3007389
091-06-24	Guebert, Deyonna	RN License No. 1161312/ APRN License No. 3013084
092-06-24	Jesse, Theresa	RN License No. 1059888
093-06-24	Schaefer, Cynthia	RN License No. 1106161/ APRN License No. 3005632
094-06-24	Wooton, Tonya	RN License No. 1087365/ APRN License No. 3003561

A motion to accept the orders regarding the above list of licensees was made by Ashley Adkins, and seconded by Jane Smith. The motion carried with no one voting in opposition and no one abstaining from the vote.

Amber Powell abstained due to working with one of the licensees

HEARING TRANSCRIPT

A copy of the transcripts from the following hearings were provided for information only:

- Wooton, Tonya – Condensed

HUMAN RESOURCES

The following items were provided for information only in closed session:

- Personnel affirmations
- Staff training hours report

OTHER

The following items were provided for information only:

- KBN organizational chart, updated June 12, 2024
- Presentation of recognition of Nathan Goldman’s – hearing officer retirement

There was a presentation of recognition of Nathan Goldman’s – KBN Hearing Officer – retirement.

There was a question and brief discussion about CMA certification requirements.

ADJOURNMENT

Upon a motion made by Anne Veno, the meeting was adjourned at 12:18 pm.

ATTEST

APPROVED:

Audra Denker, DNP, RN, FAADN
President

8/15/24
Date

/emk/ 0624