

Andy Beshear
Governor



Phone: (502) 429-3300
(800) 305-2042
Fax: (502) 429-3311

KENTUCKY BOARD OF NURSING

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

BOARD MEETING MINUTES – Draft

March 19, 2020

MEMBERS PRESENT:

MEMBERS-VIDEO/AUDIO

PHONE CONFERENCE:

Dina Byers, APRN, President
Jessica Wilson, APRN, Vice-President
Audria Denker, RN
Carl Vinson, LPN
Christina Perkins, Citizen at Large
Crystal Morgan, LPN
David Dickerson, Citizen at Large
Gail Wise, RN
Jimmy Isenberg, RN
Kristi Hilbert, RN
Mandi Walker, RN
Michele Dickens, RN
Robyn Wilcher, RN
Susan Lawson, LPN
Teresa Huber, RN

MEMBERS ABSENT:

Adam Ogle, RN

STAFF PRESENT:

Jessica Estes, Executive Director
Nathan Goldman, Executive Assistant
Myra Goldman, APRN Education & Practice Consultant
Ellen Thomson, APRN Nurse Investigator
Kelsea Bennett, Assistant to General Counsel
Bernadette Sutherland, Interim Nurse Education Consultant
Morgan Ransdell, General Counsel
Monica Shamell, Executive Secretary
Adrienne Harmon, Executive Secretary
Eric Velazquez, Resource Management Analyst
Kim Pruitt, Practice Consultant
Ann Tino, Investigation Branch Manager
Patricia Smith, Compliance Branch Manager
Michelle Gary, Practice Assistant
Ruby King, Credentials Branch Manager
Pam Hagan, Deputy Executive Director

GUESTS PRESENT: There were no guests present in person

VIDEO/AUDIO

PHONE CONFERENCE: Allison Boggs
Anna Adams, Administrative Services Supervisor, KBN
AYA Healthcare
Brooke Bentley, Eastern Kentucky University
Emiley Button
Charlene Carroll
Christina C. Johnson
Ginger Clarke, Maysville
Paul B Currie
D. Lawrence
Dolores White
Dr. Michael Wayne Rager
Billie S Duvall, Somerset
Edith Owens
Ellen Wright
Bonnie Fenwick, Nurse Investigator, KBN
Angela K Harlan, Southcentral
Tammy Harris
Patsy R Jackson, Big Sandy
Jeff Prather, Supervisor Staff Attorney, KBN
Lisa Jones
Denise King, Big Sandy
Terri H L Lanham, Owensboro
Lisa Dunsmore, Nurse Investigator, KBN
Lisa Peak
Ruth Martin, Somerset
Melody Schweitzer
Nancy Kern
Kimberly S Nealis-Williams, KCTCS
Betty Olinger, Kentucky State University
Peggy Justice
Amy Pettit
Michelle Rudovich, Deputy Executive Director, KBN
Kelli Selvage
Rhonda Vale
Valerie Jones, Education Consultant, KBN
Chrissy Blazer, Nurse Investigator, KBN
Denise Vititoe, Nurse Investigator, KBN

The roster of attendance submitted is appended to the official copy of the minutes on file in the Board office.

CALL TO ORDER

The President called the meeting of the Kentucky Board of Nursing to order at 11:06 a.m. on March 19, 2020, at the Kentucky Board of Nursing office.

ROLL CALL / DECLARATION OF QUORUM

Following roll call, the President declared a quorum present.

ADOPTION OF AGENDA

A flexible agenda was adopted.

STATEMENT OF RESPONSE FOR CERTIFIED PROFESSIONAL MIDWIVES (CPM) REGULATIONS

The Board reviewed the materials and discussed the Statement of Response for Certified Professional Midwives (CPM) regulations 201 KAR 20:620, 201 KAR 20:650, and 201 KAR 20:690; the following actions were taken:

- **APPROVE RESPONSES TO COMMENTS RECEIVED CONSISTENT WITH THE ATTACHED STATEMENTS OF CONSIDERATION (ATTACHMENTS 1 AND 2)**

KBN RESPONSE TO THE CORONA VIRUS

The Board reviewed the materials and the topics regarding regulations to be reviewed, providers from non-compact states, and NCSBN closure of testing sites. The following actions were taken:

- **APPROVE TO TEMPORARILY SUSPEND AND CLARIFY SPECIFIC REQUIREMENTS CONTAINED WITHIN 201 KAR 20:320 (CLINICAL EDUCATION CURRICULUM REQUIREMENTS FOR PRELICENSURE NURSING PROGRAMS).**

Since the modification of government operations implemented via executive order 2020-243, interruptions in the clinical education of nursing students in hospitals and nursing homes has been delayed; therefore, the Kentucky Board of Nursing modifies, for the duration of the current state of emergency, certain nursing clinical education requirements pursuant to Executive Orders 2020-243. Per the relaxed enforcement of 201 KAR 20:320 section 2(9) and section 3(1)(b), Board staff will not enforce the 120 hour integrated practicum requirement in a manner that necessitates direct patient care, or the completion of the integrated practicum within seven consecutive weeks. This means that, during the emergency, the 120 hour integrated practicum may be completed or met through simulation. In addition, Board staff will not enforce the 50% threshold for simulation. This means that programs of nursing may provide up to 100% of clinical experiences through simulation if necessary, and provided it comports with 201 KAR 20:320 section 3.

- **APPROVE TO TEMPORARILY SUSPEND AND CLARIFY SPECIFIC REQUIREMENTS CONTAINED WITHIN KRS 314.041(3) (PROVISIONAL LICENSURE OF NCLEX-RN EXAM APPLICANTS), KRS 314.051(5) (PROVISIONAL LICENSURE OF NCLEX-PN EXAM APPLICANTS), 201 KAR 20:070 (PROVISIONAL LICENSURE FOR EXAM APPLICANTS), 201 KAR 20:110 (TEMPORARY WORK PERMITS FOR ENDORSEMENT APPLICANTS).**

Since the modification of government operations implemented via Executive Order 2020-243, interruptions in the processing of FBI criminal background checks have been noted. On March 31, 2020, J. Michael Brown, Secretary of the Governor's Executive Cabinet, approved a Kentucky Board of Nursing memorandum that allows for provisional licensure for exam applicants, and temporary work permits for endorsement applicants, in circumstances where a criminal background check has not yet been completed. These modifications were needed in light of the current delay in the processing of fingerprint-driven criminal background checks. The provisional licenses and temporary work permits expire after six months; however, the Board can extend this period if criminal background check processes are not restored within that period. A completed criminal background check will be required in order to obtain full licensure.

- **APPROVE TO SUSPEND PROVISIONS OF REGULATION 201 KAR 20;065, DURING THE STATE OF EMERGENCY, TO ALLOW APRNS TO “SEE” PATIENTS VIA PHONE, TELEHEALTH OR IN PERSON. HOWEVER, THE PERIOD OF INDUCTION TO PRESCRIBE BUPRENORPHINE, MUST BE IN PERSON.**
- **APPROVE TO PERMIT APRNS WHO COME TO WORK IN KENTUCKY DURING THE STATE OF EMERGENCY, BUT ARE NOT LICENSED IN KENTUCKY, TO PRESCRIBE “LEGEND” DRUGS ONCE THEIR ELIGIBILITY TO PRESCRIBE HAS BEEN VERIFIED IN THE STATE IN WHICH THEIR LICENSE IS HELD, OR HAVE SATISFIED THE FOUR YEAR REQUIREMENT THAT WOULD EXEMPT THEM FROM THE REQUIREMENT OF A CAPA-NS.**

ADJOURNMENT

Upon proper motion and second, the meeting was adjourned at 12:52 p.m.

ATTEST

APPROVED:

President

Date

/mls 4-2020