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## KENTUCKY BOARD OF NURSING

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Andy Beshear  
Governor

### BOARD MEETING MINUTES

April 21, 2022

**MEMBERS PRESENT:**

Jessica Wilson, APRN, President  
Audria Denker, RN, Vice-President  
Ashley Adkins, Citizen-at-Large  
Jana Bailey, APRN  
Missy Bentley, RN  
Jacob Higgins, RN  
Jimmy Isenberg, RN  
Hope Jones, RN  
Susan Lawson, LPN  
Erica Lemberger, RN  
Anne Venno, RN  
Mandi Walker, RN

**MEMBERS – VIDEO/AUDIO  
PHONE CONFERENCE:**

Adam Ogle, RN  
Dana Steffey, LPN  
Jane Smith, Citizen-at-Large  
Carl Vinson, LPN

**MEMBERS ABSENT:**

None

**STAFF PRESENT:**

Kelly Jenkins, Executive Director, KBN  
Joe Lally, Deputy Executive Director, KBN  
Erica Klimchak, Administrative Assistant, KBN  
Jason Oney, Resource Management Analyst, KBN  
Kelsea Williams, Executive Legal Secretary, KBN  
Nathan Goldman, Hearing Officer, KBN  
Andre Stuckey, Executive Assistant, KBN  
Angie Spencer, Human Resources Administrator, KBN  
Anna Adams, Administrative Services Section Manager,  
KBN  
Ann Tino, Investigative Branch Manager, KBN  
Brianna Howard, Administrative Assistant, KBN  
Ruby King, Credentials Branch Manager, KBN  
Laura Wagner, IM Section Supervisor, KBN

Morgan Hall, Legal Services Supervisor, KBN  
Myra Goldman, Professional Support Branch Manager,  
KBN  
Tricia Smith, Compliance Branch Manager, KBN

**GUESTS PRESENT:** None

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

Jeff Prather, General Counsel, KBN  
Tina Shoope, Nursing Practice Consultant, KBN  
Paula Tackett  
Harmony Stanley  
Jessica Adkins  
Lisa Jones

**CALL TO ORDER**

Jessica Wilson, President, called the meeting of the Kentucky Board of Nursing to order at 10:00 a.m. on April 21, 2022, in person and by videoconference via Zoom software application.

**ROLL CALL/DECLARATION OF QUORUM**

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

**ADOPTION OF AGENDA**

A flexible agenda was adopted.

**APPROVAL OF MINUTES**

The minutes from the February 17, 2022 Board meeting and the March 25, 2022 Special Called Board meeting were presented. Upon a motion made by Audria Denker , and seconded by Jimmy Isenberg , the February 17, 2022 Board meeting and March 25, 2022 Special Called Board meeting minutes were approved as written. No one voted in opposition or abstained from voting.

**ELECTION OF FY 2022-2023 BOARD OFFICERS**

Kelly Jenkins conducted the election of new board officers. Dr. Wilson ran unopposed for President and was re-elected; Dr. Denker was re-elected Vice President.

**PRESIDENT’S REPORT**

Dr. Wilson gave a brief report about the NCSBN mid-year meeting. She also thanked the members for re-electing her President.

**FINANCIAL OFFICER’S REPORT**

Anna Adams, Administrative Services Supervisor, presented the Financial Officer’s Report, which included the April financial summary. Upon a motion made by Audria Denker , and seconded by Adam Ogle, 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
  - ORBS
  - EdVERA
  - NCSBN Mid-Year Conference
  - Employee Suggestion Box
  - COVID-19 State of Emergency Update
  - NPR Story re: nurse license delays
  - KBN Apparel
- Social Media
- Personnel
- Training for Board Members

Upon a motion made by Erica Lemberger, and seconded by Anne Veno, 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 Mandi Walker, and seconded by Jimmy Isenberg, 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 February 17, 2022 and March 10, 2022 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 10, 2022 Education Committee report**

The March 10, 2022 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:

#### **NCSBN PON Annual Report: Replacing KBN PON Annual Report**

- It was the recommendation of the committee that:
  - **THE NCSBN ANNUAL REPORT TEMPLATE BE ADOPTED WITH THE UNDERSTANDING THAT THE CUSTOM QUESTIONS WILL BE SHARED AT THE APRIL 2022 BOARD MEETING AND REVIEWED WITH THE FULL BOARD FOR DISCUSSION AND DECISION, AND**
  - **THE ADDITIONAL QUESTIONS PRESENTED BE APPROVED AND ADDED TO THE NCSBN ANNUAL REPORT**

The Board approved by acclamation the committee recommendations. No one voted in opposition or abstained from voting.

### **NCLEX Pass Rates and Benchmark Data**

- It was the recommendation of the committee that:
  - **THE 2021 NCLEX PASS RATES AND 2020/2021 BENCHMARKS BE ACCEPTED AND STAFF COMPILE AND PRIORITIZE INFORMATION REGARDING WHICH PROGRAMS SHOULD BE CONSIDERED FOR SITE VISITS AND BRING THE RECOMMENDATIONS FORWARD FOR CONSIDERATION AT THE MAY EDUCATION COMMITTEE.**

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

### **NCLEX Candidacy – Extending RNA Status**

- It was the recommendation of the committee that:
  - **201 KAR 20:070 BE AMENDED TO ALLOW FOR THE PROVISIONAL LICENSE TO BE EXTENDED FOR UP TO SIX MONTHS AND ALLOW FOR THE APPLICANT HOLDING A PROVISIONAL LICENSE TO FAIL THE NCLEX EXAMINATION ONE TIME WITHOUT HAVING THE PROVISIONAL LICENSE VOIDED. A SECOND NCLEX FAILURE WOULD CAUSE THE PROVISIONAL LICENSE TO BE VOIDED.**

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

### **Gateway CTC ADN Site Visit Report**

- It was the recommendation of the committee that:
  - 1. THE OCTOBER 19-21, 2021 FOCUSED SITE VISIT REPORT OF GATEWAY COMMUNITY AND TECHNICAL COLLEGE ASSOCIATE DEGREE NURSING PROGRAM, EDGEWOOD, KY, BE ACCEPTED.**
  - 2. THE REQUIREMENTS TO BE MET AS STATED IN THE OCTOBER 19-21, 2021 FOCUSED SITE VISIT REPORT OF GATEWAY COMMUNITY AND TECHNICAL COLLEGE ASSOCIATE DEGREE NURSING PROGRAM, EDGEWOOD, KY, BE APPROVED AND BE GRANTED ONGOING APPROVAL, WITH QUARTERLY PROGRESS REPORTS TO BE SUBMITTED BEGINNING MAY 31, 2022 TO DETERMINE COMPLIANCE WITH REQUIREMENTS TO BE MET.**
  - 3. A FOLLOW UP SITE VISIT BE CONDUCTED IN OCTOBER, 2022 TO DETERMINE COMPLIANCE WITH REQUIREMENTS TO BE MET.**

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.

### **Big Sandy CTC ADN Site Visit Report**

- It was the recommendation of the committee that:
  - 1. THE JANUARY 25-27, 2022 SITE VISIT REPORT OF BIG SANDY CTC ASN (ACADEMIC CAREER MOBILITY) NURSING PROGRAM, PRESTONSBURG, KY, BE ACCEPTED.**

**2. THE REQUIREMENTS TO BE MET AS STATED IN THE JANUARY 25-27, 2022 SITE VISIT REPORT OF BIG SANDY CTC ASN (ACADEMIC CAREER MOBILITY) NURSING PROGRAM, PRESTONSBURG, KY, BE APPROVED.**

**3. THE BIG SANDY CTC ASN (ACADEMIC CAREER MOBILITY) NURSING PROGRAM, PRESTONSBURG, KY, BE GRANTED ONGOING APPROVAL, WITH SEMI-ANNUAL PROGRESS REPORTS TO BE SUBMITTED BEGINNING MAY 31, 2022 AND A FOCUSED SITE VISIT ON THE REQUIREMENTS TO BE MET, TO BE CONDUCTED IN SPRING 2023.**

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

#### **Midway University ADN Joint ACEN Site Visit Report**

- It was the recommendation of the committee that:

**1. THE FEBRUARY 1-4, 2022 SITE VISIT REPORT OF MIDWAY UNIVERSITY ASN PROGRAM OF NURSING, MIDWAY, KY, BE ACCEPTED.**

**2. THE REQUIREMENTS TO BE MET AS STATED IN THE FEBRUARY 1-4, 2022 SITE VISIT REPORT OF MIDWAY UNIVERSITY ASN PROGRAM OF NURSING, MIDWAY, KY, BE APPROVED.**

**3. MIDWAY UNIVERSITY ASN PROGRAM OF NURSING, BE GRANTED ONGOING 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 AUGUST 31, 2022.**

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

#### **ATA College ADN (LPN to ADN Bridge and Traditional ADN) Site Visit Report**

- It was the recommendation of the Committee that:

**1. THE FEBRUARY 8-10, 2022, SITE VISIT REPORT OF ATA COLLEGE PRACTICAL NURSE TO ASSOCIATE DEGREE NURSING PROGRAM AND TRADITIONAL ASSOCIATE DEGREE PROGRAM, LOUISVILLE KY, BE ACCEPTED.**

**2. THE REQUIREMENTS TO BE MET AS STATED IN THE FEBRUARY 8-10, 2022, SITE VISIT REPORT OF ATA COLLEGE PRACTICAL NURSE TO ASSOCIATE DEGREE NURSING PROGRAM AND TRADITIONAL ASSOCIATE DEGREE PROGRAM, LOUISVILLE KY, BE APPROVED.**

**3. THE PROGRAM REMAIN ON INITIAL APPROVAL STATUS WITH QUARTERLY PROGRESS REPORTS PROVIDING SUPPORTIVE EVIDENCE CONCERNING THE PROGRAM'S PROGRESS IN FULFILLING THE REQUIREMENTS TO BE MET, TO BEGIN ON MAY 31, 2022.**

**4. A FOLLOW UP FOCUSED SITE VISIT BE CONDUCTED IN THE FALL OF 2022 TO DETERMINE PROGRESS TOWARD MEETING THE REMAINING REQUIREMENTS TO BE MET AND REVIEW NCLEX PASS RATES AND BENCHMARKS TO DATE.**

**5. THE PROGRAM OF NURSING REMAINING ON ITS SELF-IMPOSED HALT ON ADMISSIONS, UNTIL THE PRESENT 43 STUDENTS HAVE COMPLETED THE PROGRAM AND NCLEX PASS RATES FOR 2022 HAVE BEEN REVIEWED.**

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

### **PRACTICE COMMITTEE**

The March 10, 2022 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:

#### **Licensed Practical Nurses Scope of Practice**

- It was the recommendation of the committee that:
  - **THE KBN COMPARISON CHART OF RN/LPN PRACTICE, AS SUBMITTED, BE APPROVED; AND ADVISORY OPINION STATEMENT (AOS) #27 COMPONENTS OF LPN PRACTICE, AS REVISED, BE APPROVED**

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

### **CONSUMER PROTECTION COMMITTEE**

The March 10, 2022 Consumer Protection 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:

#### **Change in process of reporting nurses under investigation to NURSIS**

- It was the recommendation of the committee that:
  - **THE REVISIONS TO THE DISCIPLINARY BROCHURE TO REFLECT THE PROCESS CHANGE FOR REPORTING INVESTIGATIONS TO NURSIS AND WHAT WILL BE VALIDATED ON THE KBN WEBSITE BE ACCEPTED.**

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

### **ADVANCED PRACTICE REGISTERED NURSE COUNCIL**

The revised January 21, 2022 Advanced Practice Registered Nurse 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.

The March 18, 2022 Advanced Practice Registered Nurse 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:

**Request for Advisory Opinion – Regenerative – Stem Cell Therapy and Platelet Rich Plasma Therapy**

- It was the recommendation of the council that:
  - **IT IS WITHIN THE SCOPE OF PRACTICE OF AN ADVANCED PRACTICE REGISTERED NURSE (APRN), WHO IS EDUCATIONALLY PREPARED AND CLINICALLY COMPETENT, TO EVALUATE, TREAT, PRESCRIBE AND ADMINISTER ‘PLATELET-RICH PLASMA’ (PRP) THERAPY.**
  - **IT IS IN THE SCOPE OF PRACTICE FOR AN ADVANCED PRACTICE REGISTERED NURSE WHO IS EDUCATIONALLY PREPARED AND CLINICALLY COMPETENT TO RECOMMEND OR SUGGEST THE USE OF VITAMINS, DIET AND EXERCISE REGIMENS TO PATIENTS**

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

**Repetitive Transcranial Magnetic Simulation (rTMS) for Depression**

- It was the recommendation of the council that:
  - **IT IS WITHIN THE SCOPE OF PRACTICE OF AN ADVANCED PRACTICE REGISTERED NURSE (APRN) PSYCHIATRIC MENTAL HEALTH NURSE PRACTITIONER (PMHNP) WHO HAS A CREDENTIAL IN THE USE OF RTMA AND IS EDUCATIONALLY PREPARED POSSESSING AN EXTENSIVE BACKGROUND IN BRAIN PHYSIOLOGY RECEIVED DURING COMPLETION OF A TRAINING PROGRAM IN PSYCHIATRY AND/OR NEUROLOGY AND CLINICALLY COMPETENT TO PRACTICE TRANSCRANIAL MAGNETIC STIMULATION.**

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

**Advisory Opinions not yet Incorporated within Advisory Opinion Statements**

**Ketamine Clinics Scope of Practice of an APRN CRNA**

- It was the recommendation of the council that:
  - **IT IS WITHIN THE SCOPE OF PRACTICE OF AN ADVANCED PRACTICE REGISTERED NURSE (APRN) CRNA TO ORDER AND ADMINISTER KETAMINE INFUSION FOR PSYCHIATRIC DISORDERS AND CHRONIC PAIN AND THAT AN AOS BE CREATED TO DISCUSS THE COLLABORATION AND USE OF KETAMINE IN NON-ACUTE SETTINGS.**

Upon a motion made by Jana Bailey and seconded by Jimmy Isenberg, the Board approved the

council recommendations. No one voted in opposition or abstained from voting.

### **DIALYSIS TECHNICIAN ADVISORY COUNCIL**

The March 15, 2022 Dialysis Technician Advisory 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.

### **GOVERNANCE COMMITTEE**

The March 10, 2022 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.

### **CERTIFIED PROFESSIONAL MIDWIVES ADVISORY COUNCIL**

No report

Kelly Jenkins announced the upcoming staff professional development day on May 2, 2022.

### **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 11:14 am. to discuss Recommended Orders and personnel affirmations. The meeting was reconvened in open session at 11:55 am.

### **ACTION ON LICENSES**

The President called for action on Recommended Orders.

### **AFTER HAVING CONSIDERED THE RECORD, THE FOLLOWING**



**RECOMMENDED ORDERS WERE ADOPTED:**

<b>Decision Number</b>	<b>Name</b>	<b>License Number</b>
014-04-22	Bland, Sherral	RN License No. 1063253/ LPN License No. 2014088
015-04-22	Blevins, Cassandra	RN License No. 1134471
016-04-22	Foley, Janey	LPN License No. 2045300
017-04-22	Goodman, Ashley	LPN License No. 2051373
018-04-22	Hall, Douglas	RN License No. 1143707
019-04-22	King, Stacie	RN License No. 1119972/ LPN License No. 2037929
020-04-22	Maison, Evelyn	RN License No. 1078745
021-04-22	Miles, Danyell	RN License No. 1138895/ LPN License No. 2047351

A motion to accept the orders regarding the above list of licensees was made by Anne Veno, and seconded by Mandi Walker. The motion carried with no one voting in opposition and no one abstaining from the vote

**PERSONNEL AFFIRMATIONS**

A motion was made by Audria Denker, and seconded by Jake Higgins, to approve the following personnel actions. The motion carried with no one voting in opposition and no one abstaining from the vote.

<b>Branch Name</b>	<b>Pers. No.</b>	<b>First Name</b>	<b>MI</b>	<b>Last Name</b>	<b>Start Date</b>	<b>Action Type</b>	<b>Reason for Action</b>
Program Coordinator Section	00199693	Martha	M	Boulineau	03/01/2022	Retirement	Early
Compliance Branch	00278672	Bernadette	M	Sutherland	03/16/2022	Separation	T - Time Limit
Investigative Branch	00543937	Dana	S	Scrusse	02/01/2022	Change in Pay	Unclass. Probation. Increase
Professional Support Branch	00544604	Tina	D	Shooper	02/01/2022	Change in Pay	Unclass. Probation. Increase

**INFORMATIONAL ITEM**

The KBN legal update was provided for information only.

**INFORMATION/ANNOUNCEMENTS**

**FUTURE BOARD DISCUSSION ITEMS**

Upon a suggestion made by Anne Veno, and following discussion from Board members, it was decided to add potential guidance for nurses in volunteer roles and LPNs in operating rooms to the next Practice Committee meeting agenda.

**ADJOURNMENT**

Upon a motion made by Audria Denker, the meeting was adjourned at 12:12 pm.

**ATTEST**

**APPROVED:**



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President

6/16/2022

Date

/emk/ 042022