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KENTUCKY BOARD OF NURSING

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Louisville, Kentucky 40222-5172
kbn.ky.gov

Andy Beshear
Governor

BOARD MEETING MINUTES

April 20, 2023

MEMBERS PRESENT: None

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

Audria Denker, RN, President
Missy Bentley, RN
Erica Lemberger, RN
Ruth Martin, RN
Anne Veno, RN
Mandi Walker, RN
Jana Bailey, APRN
Missy Bentley, RN
Susan Lawson, LPN
Jane Smith, Citizen-at-Large
Susan Ellis, RN
Ashley Adkins, Citizen-at-Large
Jacob Higgins, RN
Hope Jones, RN
Dana Steffey, LPN
Carl Vinson, LPN

MEMBERS ABSENT: Adam Ogle, RN, Vice-President

STAFF PRESENT: None

GUESTS PRESENT: None

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

Kelly Jenkins, Executive Director, KBN
Joe Lally, Deputy Executive Director, KBN
Jeff Prather, General Counsel, KBN
Erica Klimchak, Administrative Assistant, KBN
Diane Comer, Public Information Officer, KBN
John Michul, Staff Attorney, KBN
JD Fleming, Legal Services Supervisor, KBN

Michelle Gary, Continuing Competency Coordinator, KBN
Nathan Goldman, Hearing Officer, KBN
Tricia Smith, Compliance Branch Manager, KBN
Jason Oney, Resource Management Analyst, KBN
Kelsea Williams, Executive Legal Secretary, KBN
Andre Stuckey, Executive Assistant, KBN
Anna Adams, Administrative Services Section Manager, KBN
Ruby King, Credentials Branch Manager, KBN
Myra Goldman, Professional Support Branch Manager, KBN
Ann Shepherd, Nurse Investigator, KBN
Bridget Smith, Program Coordinator, KBN
Amy Wheeler, Staff Attorney, KBN
Tina Shoope, Nursing Practice Consultant, KBN
Joy Pennington, Nursing Education Consultant, KBN
Patricia Abell, Case Advisor, KBN
Brittany Click, Nursing Practice Consultant, KBN
Valerie Jones, Nursing Education Consultant, KBN
Elizabeth Shreve, Nurse Investigator, KBN
Allison Boggs
Jay Stubblefield
Emily Selch
Kathy Khoshreza
Marion Knight
Sherri Craig
Melissa Bennett
Tammy Dean

CALL TO ORDER

Audria Denker, President, called the April 20, 2023 meeting of the Kentucky Board of Nursing to order at 10:00 am 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 February 16, 2023 Board meeting were presented. Jana Bailey requested that her credentials be changed from RN to APRN.

Upon a motion made by Erica Lemberger, and seconded by Susan Ellis, the February 16, 2023 minutes were approved as amended. No one voted in opposition or abstained from voting.

PRESIDENT'S REPORT

Audria Denker, KBN Board President, provided a brief report from the NCSBN mid-year conference.

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report, which included the March financial summary. Upon a motion made by Carl Vinson, and seconded by Mandi Walker, 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
 - Laserfiche
 - SnagIt
- Professional Development
- Social Media
- Personnel
- Training for Board Members

Upon a motion made by Dana Steffey, and seconded by Hope Jones, the Executive Director's Report was accepted as written. No one voted in opposition or abstained from voting.

Approval of nominations to KBN CAPA-CS Committee

Dr. Denker explained that the recently passed SB 94 establishes the CAPA-CS Committee, which is attached administratively to the Board of Nursing. The statute requires the Kentucky Board of Nursing (KBN) and the Kentucky Board of Medical Licensure (KBML) to each appoint two (2) members to comprise the Committee. This committee is responsible for developing, and then revising when requested, a standardized CAPA-CS form, which will be used by all APRNs and physicians who enter into a CAPA-CS agreement. Once they have decided on the form, the statute requires KBN to promulgate the form in regulation.

The following APRN nominees for the KBN CAPA-CS Committee were submitted to KBN by the KY Association of Nurse Practitioners and Nurse-Midwives:

1. Elizabeth Partin DNP, APRN, FAANP
2. Catherine Waits MSN, APRN

Upon a motion made by Jana Bailey, and seconded by Jake Higgins, the above nominees to the KBN CAPA-CS committee were accepted. No one voted in opposition or abstained from voting.

GENERAL COUNSEL'S REPORT

Jeff Prather, General Counsel, presented the General Counsel's Report, which included a brief update from the 2023 regular legislative session.

Upon a motion made by Susan Ellis, and seconded by Jane Smith, the report was approved as written. No one voted in opposition or abstained from voting.

Approval of proposed changes to 201 KAR 20:478

Mr. Prather provided an overview of the proposed changes to 201 KAR 20:478

- It was the recommendation of the General Counsel that:
The proposed changes to 201 KAR 20:478 be accepted

Upon a motion made by Hope Jones, and seconded by Dana Steffey, the Board approved the General Counsel's recommendation. No one voted in opposition or abstained from voting.

CREDENTIALS REVIEW PANEL

The reports of the Credentials Review Panel meetings held February 16, 2023, and March 16, 2023 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 March 16, 2023 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:

Galen College of Nursing PN Program – Pikeville Campus Letter of Intent

- It was the recommendation of the committee that:
The Galen College of Nursing PN Program – Pikeville Campus Letter of Intent be approved.

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

Audria Denker, Hope Jones, Ruth Martin and Susan Ellis recused themselves from the discussion and vote

Galen College of Nursing ASN (Bridge) Program – Pikeville Campus Letter of Intent

- It was the recommendation of the committee that:
Galen College of Nursing PN Program – Pikeville Campus Letter of Intent be approved, with the understanding that placements are resolved prior to a proposal being submitted.

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.

Audria Denker, Hope Jones, Ruth Martin and Susan Ellis recused themselves from the discussion and vote

Southeast Community and Technical College PN Program – Cumberland Campus Site Visit Report

- It was the recommendation of the committee that:
Southeast Kentucky Community & Technical College PN Program of Nursing be granted continued Program Approval Status, with quarterly

progress reports providing supportive evidence concerning the program's progress in fulfilling the Requirements to be Met, to be submitted beginning March 31, 2023. Additionally, a focused site visit was approved to be completed in November 2023.

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

Bluegrass Community and Technical College – Winchester Campus ASN Letter of Intent

- It was the recommendation of the committee that:
Bluegrass Community and Technical College – Winchester Campus ASN Letter of Intent be approved.

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

Benchmark Data Report and Analysis 2022

- It was the recommendation of the committee that:
The Benchmark Data Report and Analysis 2022 be approved.

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

LMU Hearing Report

- It was the recommendation of the committee that:
The LMU Hearing Report be approved.

The following people commented on the report:

- Tammy Dean, DNP, RN, CNE, Dean of Nursing – LMU
- Melissa Bennett – CHI St Joseph Health

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

Following discussion and presentation of background materials, it was the recommendation of the Board that:

- **The LMU Letter of Intent be approved**

Upon a motion made by Jana Bailey, and seconded by Ashley Adkins, the Board approved the recommendation with nine (9) members voting yes, four (4) members voting no, and one (1) member abstaining.

PRACTICE COMMITTEE

The March 17, 2023 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:

Kentucky Medication Aides Workgroup Scope and Functions

- It was the recommendation of the committee that:

The Scope and Functions of the Medication Aide Workgroup be approved as submitted.

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

AOS #15 Supervision and Delegation of Nursing Tasks to Unlicensed Personnel

- It was the recommendation of the committee that:
AOS # 15 Supervision and Delegation of Nursing Tasks to Unlicensed Personnel, as submitted, be approved.

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

AOS #13 Roles of Nurses in Psychiatric-Mental Health Nursing Practice

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #13 Roles of Nurses in Psychiatric-Mental Health Nursing Practice, as revised, be approved.

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

AOS #14 Implementation of Patient Care Orders

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #14 Implementation of Patient Care Orders, as revised, be approved.

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

AOS #17 Administration of “PRN” Medication and Placebos

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #17 Administration of “PRN” Medication and Placebos, as revised, be approved.

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

CONSUMER PROTECTION COMMITTEE

The March 16, 2023 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:

Conviction Brochure Updates

- It was the recommendation of the committee that:
Edits, revisions and additions to the conviction brochure be approved.

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

GOVERNANCE COMMITTEE

The March 16, 2023 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.

LICENSED CERTIFIED PROFESSIONAL MIDWIVES ADVISORY COUNCIL

The March 13, 2023 Licensed Certified Professional Midwives (LCPM) 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.

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 11:38 am to discuss Recommended Orders and personnel actions. The meeting was reconvened in open session at 12:05 pm.

ACTION ON LICENSES

The President called for action on Recommended Orders.

AFTER HAVING CONSIDERED THE RECORD, THE FOLLOWING RECOMMENDED ORDERS WERE ADOPTED:

Decision Number	Name	License Number
054-04-23	Arington, Janie	RN License No. 1075406 LPN License No. 2026250 APRN License No. 3013262
055-04-23	Badertscher, Katelyn	RN License No. 1156633

056-04-23	Ball, Shelly	RN Endorsement App
057-04-23	Bendlin, Elizabeth	LPN License No. 2051647
058-04-23	Blakenship, Candie	LPN License No. 2056729
059-04-23	Cannon, Scarlett	RN License No. 1115089
060-04-23	Conn, Lois	RN License No. 1160335
061-04-23	Craycraft, Emily	RN License No. 1140671
062-04-23	Day, Chelsea	RN License No. 1169399
063-04-23	Fitzhugh, Corina	RN License No. 1135326
064-04-23	Guilds, Peggy	RN License No. 1137784
065-04-23	Hardin, Catrena	RN License No. 1143805
066-04-23	Hensley, Thadda	RN License No. 1136846
068-04-23	Porter, Jonathan	RN License No. 1122648
069-04-23	Raybourne, Jerri	RN License No. 1115078
070-04-23	Ritchie, Kathy	LPN License No. 2039016
071-04-23	Rodriguez, Nicolina	LPN License No. 2046613
072-04-23	Simpson, Carla	LPN License No. 2041747
073-04-23	Stayton, Tammy	RN License No. 1108552
074-04-23	Vanover, Jamie	LPN License No. 2045694

A motion to accept the orders regarding the above list of licensees was made by Carl Vinson, and seconded by Susan Ellis. The motion carried with no one voting in opposition and no one abstaining from the vote.

HEARING TRANSCRIPT(S)

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

- Ball, Shelley – Condensed
- Raybourne, Jerri – Condensed
- Rodriguez, Nicolina – Condensed

PERSONNEL AFFIRMATIONS

a. Personnel Actions

A motion was made by Hope Jones, and seconded by Anne Veno, to approve the following personnel actions. The motion carried with no one voting in opposition and no one abstaining from the vote.

Branch Name	First name	MI	Last name	Start Date	Action Type	Reason for Action
Board of Nursing	Elizabeth		Shreve	02/26/2023	Appointment	Appointment
Nurse Investigator Section	Bonnie	S	Fenwick	03/16/2023	Change in Pay	Due to New Appointee Salary
KNAR Section	Julie	C	Lobo	03/16/2023	Change in Pay	Due to New Appointee Salary
Nurse Investigator Section	Susan	D	Lawson	03/16/2023	Change in Pay	Due to New Appointee Salary
KNAR Section	Shannon	D	Whitlock	03/16/2023	Change in Pay	Due to New Appointee Salary
Nurse Investigator Section	Ann	M	Tino	03/16/2023	Change in Pay	Due to New Appointee Salary
Licensing Section	Jodi	R	Velazquez	03/16/2023	Change in Pay	Due to New Appointee Salary
Professional Support Branch	Michelle	A	Gary	03/16/2023	Change in Pay	Due to New Appointee Salary
Program Coordinator Section	Jill	M	Cambron	03/16/2023	Change in Pay	Due to New Appointee Salary
Licensing Section	Karen	D	Huff	03/16/2023	Change in Pay	Due to New Appointee Salary
Licensing Section	Rachel	A	Williamson	03/16/2023	Change in Pay	Due to New Appointee Salary
Licensing Section	Tomeca	Y	Faulkner	03/16/2023	Change in Pay	Due to New Appointee Salary
Case Management Section	Melissa	A	Haddaway	03/16/2023	Change in Pay	Due to New Appointee Salary
Investigation Program Coordinator Sect	Sarah	B	Wimsatt	03/16/2023	Change in Pay	Due to New Appointee Salary
Case Management Section	Anna	M.	Marling	03/16/2023	Change in Pay	Due to New Appointee Salary
Nurse Investigator Section	Debra	Estes	Seely	03/16/2023	Change in Pay	Due to New Appointee Salary
Case Management Section	Lisa	A.	Sosnin	03/16/2023	Change in Pay	Due to New Appointee Salary
Nurse Investigator Section	Denise		Vitoe	03/16/2023	Change in Pay	Due to New Appointee Salary

Board of Nursing	Angela	C	Spencer	03/16/2023	Position Number Change-Intern	Resign to Reappoint
Case Management Section	Carolyn		Hare	03/21/2023	Position Number Change-Intern	Resign to Reappoint
Program Coordinator Section	Bridget	K	Smith	03/16/2023	Position Number Change-Intern	Resign to Reappoint
Administrative Services Section	Briana	N	Howard	03/16/2023	Position Number Change-Intern	Resign to Reappoint
Administrative Services Section	D Richelle		Livers	03/16/2023	Position Number Change-Intern	Resign to Reappoint
Case Management Section	Lisa	M	Scott	02/01/2023	Position Number Change-Intern	Resign to Reappoint
Legal Service Section	John	R	Michul	03/16/2023	Position Number Change-Intern	Resign to Reappoint
Board of Nursing	Marina		McWilliams	03/21/2023	Position Number Change-Intern	Resign to Reappoint
Credentials Branch	Ruby	D	King	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Administrative Services Section	Anna	L	Adams	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Administrative Services Section	Steven		Russell	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Case Management Section	Patricia	Y	Smith	03/16/2023	Position Number Change-Intern	Resign to Reinstate
KNAR Section	Glenda	Sue	McClain	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Legal Service Section	Amy	O	Wheeler	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Legal Service Section	Kimberly	A	Nooning	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Licensing Section	Suha		Qattan-Walsh	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Professional Support Branch	Valerie	Anne	Jones	03/16/2023	Position Number Change-Intern	Resign to Reinstate
Case Management Section	Richard	J	Vancise	03/16/2023	Position Number Change-Intern	Resign to Reinstate
General Counsel	Jeffrey	R	Prather	03/16/2023	Change in Pay	Salary Adj
Board of Nursing	Joseph	H	Lally	03/16/2023	Change in Pay	Salary Adj
Professional Support Branch	Myra		Goldman	03/16/2023	Change in Pay	Salary Adj
Licensing Section	Anna	K	Yi	03/16/2023	Change in Pay	Salary Adj
Board of Nursing	Kelsea	L	Williams	02/01/2023	Change in Pay	Salary Adj
Investigation Branch	Rita	F	Poynter	03/16/2023	Change in Pay	Salary Adj
Administrative Services Section	Wanda	L	Webster	03/16/2023	Change in Pay	Salary Adj
Board of Nursing	Erica		Klimchak	02/01/2023	Change in Pay	Salary Adj
Board of Nursing	Andre	K	Stuckey	02/01/2023	Change in Pay	Salary Adj
Professional Support Branch	Joy	R	Pennington	03/16/2023	Change in Pay	Salary Adj
Board of Nursing	Kelly	R	Jenkins	03/16/2023	Change in Pay	Salary Adj
Investigation Program Coordinator Sect	Dana	S	Scruse	03/16/2023	Change in Pay	Salary Adj
Professional Support Branch	Tina	D	Shoope	03/16/2023	Change in Pay	Salary Adj
Professional Support Branch	Deborah	Ann	Shepherd	03/16/2023	Change in Pay	Salary Adj
Board of Nursing	Patricia	A	Abell	03/16/2023	Change in Pay	Salary Adj
Case Management Section	Carrie		Ballard	03/16/2023	Change in Pay	Salary Adj
Legal Service Section	John	D	Fleming	02/01/2023	Change in Pay	Salary Adj
Legal Service Section	Peyton	T	Mathes	03/16/2023	Separation	T - Time Limit

b. Salary Increases for KBN Staff

A motion was made by Ashley Adkins, and seconded by Jane Smith, to approve the salary increases for KBN staff that were discussed in closed session. The motion carried with no one voting in opposition and no one abstaining from the vote.

INFORMATION/ANNOUNCEMENTS

The pass rate summary from NCLEX NextGen was shared

There was discussion about the ongoing nursing shortage and additional ways for KBN to address it, retain the workforce we do have, and ensure equity in leadership positions.

OTHER

The following items were provided for information only:

- KBN organizational chart, updated April 12, 2023

ADJOURNMENT

Upon a motion made by Erica Lemberger, the meeting was adjourned at 12:31 pm.

ATTEST

APPROVED:

Audra Denker, DNP, RN, FAAN

President

06/15/2023

Date

/emk/ 0423