

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

August 19, 2021

MEMBERS PRESENT: None

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

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
Susan Lawson, LPN
Erica Lemberger, RN
Adam Ogle, RN
Dana Steffey, LPN
Carl Vinson, LPN
Mandi Walker, RN

MEMBERS ABSENT: None

STAFF PRESENT: None

GUESTS PRESENT: None

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

Kelly Jenkins, Executive Director, KBN
Michelle Rudovich, Deputy Executive Director, KBN
Jeff Prather, General Counsel, KBN
Erica Klimchak, Administrative Assistant, KBN
Adrienne Harmon, Executive Secretary, KBN
Amy Ninneman, NISF Program Coordinator & Education Consultant,
KBN
Amy Wheeler, Staff Attorney, KBN
Anna Adams, Administrative Services Section Supervisor, KBN
Anna Marling, Nursing Investigator/Case Manager, KBN
Andre Stuckey, Executive Assistant, KBN

Ann Veno
Anne Tino, Investigation Branch Manager, KBN
Bernie Sutherland, Interim Education Consultant, KBN
Bonnie Fenwick, Nursing Investigator, KBN
Brittany Burke
Brooke Bentley
Carolyn Hare, APRN Investigator/Case Manager, KBN
Chrissy Blazer, Nursing Investigator, KBN
Dana Scruse, Administrative Assistant, KBN
Debbie Seely, Nursing Investigator, KBN
Denise Vititoe, Nursing Investigator, KBN
Ellen Thomson, APRN Investigator, KBN
Eric Velazquez, Resource Management Analyst, KBN
Jennifer Hart, Human Resource Administrator, KBN
Jessica Coon
Joy Pennington, Professional Consultant, KBN
Kelsea Williams, Executive Legal Secretary, KBN
Kim Noonung, Legal Secretary, KBN
Kimberley Richmond, Professional Consultant (part-time), KBN
Laura Wagner, IM Section Supervisor, KBN
Lisa Dunsmore, Nursing Investigator, KBN
Lisa Jones
Lisa Scott, Nursing Investigator/Case Manager, KBN
Lisa Sosnin, Nursing Investigator/Case Manager, KBN
Melissa Haddaway, Nursing Investigator/Case Manager, KBN
Michelle Gary, Practice Assistant and Continuing Competency Coordinator, KBN
Morgan Hall, Legal Services Section Supervisor, KBN
Myra Goldman, Professional Support Branch Manager, KBN
Nathan Goldman, Hearing Officer, KBN
Rita Poynter, Office Coordinator, KBN
Ruby King, Credentials Branch Manager, KBN
Sandra Nichols
Sarah Wimsatt, Program Coordinator, KBN
Susan Lawson, Nursing Investigator, KBN
Tina Shoope, Professional Consultant, KBN
Tricia Smith, Compliance Branch Manager, KBN
Valerie Jones, Education Consultant, KBN

CALL TO ORDER

Jessica Wilson, President, called the meeting of the Kentucky Board of Nursing to order at 10:01 am on August 19, 2021 by videoconference via Zoom software application.

SWEARING IN OF NEW BOARD MEMBER

Missy Bentley was sworn in by Executive Legal Secretary and Notary, Kelsea Williams, as a Registered Nurse member. Ms. Bentley fills the vacancy created by Robyn Wilcher's term expiration.

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 June 17, 2021 board meeting were presented. Upon a motion made by Ashley Adkins and seconded by Dana Steffey, the June 17, 2021 board meeting minutes were approved as written. No one voted in opposition or abstained from voting.

STAFF RECOGNITIONS

Ann Tino was recognized for 20 years of service at KBN by Mandi Walker.

PRESIDENT'S REPORT

Dr. Wilson presented the President's Report. She thanked staff and Board members for their service, commitment and flexibility with meeting changes throughout the COVID-19 pandemic.

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Section Supervisor, presented the Financial Officer's Report, which included the July financial summary. Upon a motion made by Jimmy Isenberg, and seconded by Carl Vinson, 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
 - Website
 - ORBS
 - Individual staff meetings
 - Workflow
 - Mid-year interim reviews
- Telecommuting
- Social Media
- Out of State Registry
- Personnel
- Training
- NLC/NCSBN
 - NLC
- Upcoming Meetings
- Legal Update

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

Nominations for Council Membership

Advanced Practice Registered Nurse Council

1. **KNA nomination** – KBN has not yet received nominees from KNA. This item was tabled until the next meeting.

Board Retreat Planning Committee recommendation to move the October retreat and Board Meeting dates to October 27 and 28

Upon a motion made by Ashley Adkins, and seconded by Mandi Walker, the Board accepted the retreat planning committee's recommendation to move the October Board Retreat and Board Meeting to October 27 and 28, 2021.

Recommendation to move the November committee meeting dates to avoid conflicting with DEI training

Upon a motion made by Jimmy Isenberg and seconded by Jana Bailey, the Board accepted the recommendation to move the November committee meeting dates to Monday November 8, 2021 to avoid conflicting with DEI training.

GENERAL COUNSEL'S REPORT

Pending amendments to 201 KAR 20:220

Jeff Prather, General Counsel, reported that the Material Incorporated by Reference related to 201 KAR 20:220 has been updated to include applications.

Administrative Regulation Status Report (ARRS Report)

Jeff Prather, General Counsel presented the Administrative Regulation Status Report. Upon a motion made by Audria Denker and seconded by Jacob Higgins, the report was approved as written. No one voted in opposition or abstained from voting.

CREDENTIALS REVIEW PANEL

The report of the Credentials Review Panel meetings held June 17, 2021 and July 22, 2021 were presented. Upon a motion made by Jimmy Isenberg and seconded by Ashley Adkins, the Board approved the reports as written. No one voted in opposition or abstained from voting.

EDUCATION COMMITTEE

NISF Scholarships Report

The staff NISF Scholarships Report was presented. Upon a motion made by Jimmy Isenberg and seconded by Mandi Walker, the Board approved the report as written. No one voted in opposition or abstained from voting.

The 2020-2021 Annual Report for the Education Committee was presented. Upon a motion made by Jimmy Isenberg and seconded by Audria Denker, the Board approved the report as written. No one voted in opposition or abstained from voting.

PRACTICE COMMITTEE

The 2020-2021 Annual Report for the Practice Committee was presented. Upon a motion made by Adam Ogle and seconded by Jana Bailey the Board approved the report as written. No one voted in opposition or abstained from voting.

CONSUMER PROTECTION COMMITTEE

The 2020-2021 Annual Report for the Consumer Protection Committee was presented by Dr. Wilson. Upon a motion made by Audria Denker and seconded by Carl Vinson, the Board approved the report as written. No one voted in opposition or abstained from voting.

ADVANCED PRACTICE REGISTERED NURSE COUNCIL

The 2020-2021 Annual Report for the Advanced Practice Registered Nurse Council was presented. Upon a motion made by Mandi Walker and seconded by Jimmy Isenberg, the Board approved the report as written. No one voted in opposition or abstained from voting.

DIALYSIS TECHNICIAN ADVISORY COUNCIL

The 2020-2021 Annual Report for the Dialysis Technician Advisory Council was presented. Upon a motion made by Carl Vinson and seconded by Adam Ogle, the Board approved the report as written. No one voted in opposition or abstained from voting.

GOVERNANCE COMMITTEE

The 2020-2021 Annual Report for the Governance Committee was presented. Upon a motion made by Audria Denker and seconded by Ashley Adkins, the Board approved the report as written. No one voted in opposition or abstained from voting.

Board Retreat Planning Committee

Audria Denker provided an update and presented the minutes from the July 8, 29 and August 17 meetings of the Board Retreat Planning Committee for information only.

CERTIFIED PROFESSIONAL MIDWIVES ADVISORY COUNCIL

The 2020-2021 Annual Report for the Certified Professional Midwives Advisory Council was presented. Upon a motion made by Jimmy Isenberg and seconded by Jacob Higgins the Board approved the report as written. No one voted in opposition or abstained from voting.

STRATEGIC PLAN

Information was provided to Board members concerning the strategic plan as an informational item. The plan will be revised in 2021 and board staff will continue to work with board members on revisions.

2020-2021 ANNUAL REPORT

An update on the KBN 2020-2021 Annual Report 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.

Nathan Goldman – Hershey case; stipulation of facts, no witnesses called; decision was guilty; exceptions filed; petitioner filed motion to strike exceptions; board members have to make decision about the exceptions that were filed

The meeting was moved to closed session at 10:52 am to discuss Recommended Orders and personnel affirmations. The meeting was reconvened in open session at 11:25 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:

Decision Number	Name	License Number
001-08-21	Fields, Crystal Dawn Russell	LPN License No. 2043409
002-08-21	Gordon, Casondra L.	RN License No. 1155117
004-08-21	Maddox, Jane	TN RN License No. 124658
005-08-21	Ross, Amii E.	RN License No. 1100511

A motion to accept the orders regarding the above list of licensees was made by Jimmy Isenberg and seconded by Audria Denker. The motion carried with no one voting in opposition and no one abstaining from the vote.

AFTER HAVING CONSIDERED THE RECORD AND THE EXCEPTIONS FILED BY RESPONDENTS ATTORNEY, RANDALL STRAUSE, AND KBN PETITIONER, AMY WHEELER, THE FOLLOWING RECOMMENDED ORDER 003-08-21, CAMERON TYLER HERSHEY, RN LICENSE NO. 1148550, BE AMENDED TO INCLUDE 30 TOTAL CES; 15 FOR ETHICS IN NURSING, 15 FOR PATIENT CONFIDENTIALITY.

Decision Number	Name	License Number
003-08-21	Hershey, Cameron Tyler	RN License No. 1148550

A motion to accept the recommended order as amended was made by Erica Lemberger and seconded by Ashley Adkins. 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 Carl Vinson to approve the following personnel actions. The motion carried with no one voting in opposition and no one abstaining from the vote.

- a.

Personnel No.	First name	Last name	Organizational Unit	Position Title/Working Title	Action Type	Effective Date
547244	Sarah	Cecil	Professional Support Branch	Administrative Assistant of Boards and Commissions/Professional Consultant	Appointment - Part-time	8/16/2021
183855	Morgan	Hall	Legal Services Section	Attorney/Supervisor	Appointment	8/16/2021
544604	Tina	Shooper	Professional Support Branch	Administrative Assistant of Boards and Commissions/Professional Consultant	Appointment	8/1/2021
349064	Anna	Yi	Administrative Services Section	Administrative Specialist II	Resign to Reappoint from another agency	8/1/2021
543937	Dana	Scrusse	Investigation Branch	Administrative Assistant of Boards and Commissions	Appointment	7/16/2021
	Dana	Todd	Legal Services Section	Attorney/Supervisor	Separation/Transfer Out to another agency	7/16/2021
541262	Lisa	Scott	Compliance Branch - Case Management Section	Nursing Investigator	Appointment	7/1/2021
525307	Alaina	Lismon	Licensing Section	Administrative Assistant of Boards and Commissions	Resign to Reappoint - internal	7/1/2021
523872	Chris	Dixon	Licensing Section	Administrative Assistant of Boards and Commissions	Separation/Termination	6/25/2021

b. Informational item

Pursuant to PM 2021-14 and the Governor’s press conference held on August 5, 2021; all Executive Branch active, permanent, full-time and part-time employees may receive one (1) additional day of annual leave for those who receive, or have already received, a COVID-19 vaccination (or first dose in a series) on or since December 1, 2020. The incentive award is currently capped at one (1) annual day of leave.

INFORMATION/ANNOUNCEMENTS

FUTURE BOARD DISCUSSION ITEMS

OTHER

Organizational Charts 8/1/2021 and 8/16/2021 were provided for informational purposes.

Kelly Jenkins provided a brief update regarding the reissuance of the emergency order to reinstate the out of state registry for inpatient hospital services and/or skilled nursing care.

ADJOURNMENT

Upon a motion made by Erica Lemberger and seconded by Jimmy Isenberg the meeting was adjourned at 11:35 am.

ATTEST

APPROVED:

Jessica Wilson

President

10/28/2021

Date

/emk/ 082021