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KENTUCKY BOARD OF NURSING

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Andy Beshear
Governor

BOARD MEETING MINUTES

August 24, 2023

MEMBERS PRESENT:

MEMBERS – VIDEO/AUDIO PHONE CONFERENCE:

Audria Denker, RN, President
Adam Ogle, RN, Vice-President
Missy Bentley, RN
Erica Lemberger, RN
Ruth Martin, RN
Anne Veno, RN
Mandi Walker, RN
Jana Bailey, RN
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

MEMBERS ABSENT: None

STAFF PRESENT:

GUESTS PRESENT:

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
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
Angie Spencer, Human Resources Administrator, KBN
Amy Wheeler, Staff Attorney, KBN
Tina Shoope, Nursing Practice Consultant, KBN
Eric Velazquez, Resource Management Analyst, KBN
Joy Pennington, Nursing Education Consultant, KBN
Amanda Padgett, Resource Management Analyst, KBN
Patricia Abell, Case Advisor, KBN
Sarah Cecil, APRN Practice Consultant
Adam Mather
Lisa Jones
Valerie Moore

CALL TO ORDER

Audria Denker, President, called the August 24, 2023 meeting of the Kentucky Board of Nursing to order at 10:03 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 June 2023 Board meeting were presented. Upon a motion made by Jacob Higgins, and seconded by Ashley Adkins, the June 2023 meeting minutes were approved as written. No one voted in opposition or abstained from voting.

PRESIDENT'S REPORT

Dr. Denker provided a brief update from the NCSBN Annual Meeting held in Chicago the week of August 14, 2023.

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report, which included the FY22-23 financial summary. Upon a motion made by Dana Steffey, and seconded by Susan Ellis, 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
 - i. ORBS
 - ii. Laserfiche
 - iii. Annual Report
 - iv. National Forum of State Nursing Workforce Centers
- Professional Development
- Personnel
- Training for Board Members

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

APRN Council Appointment

Dr. Denker presented Alison Feese, MSN, APRN, CNM, FNP-C as the KANPNM CNM member nominee to the APRN Council. Upon a motion made by Jacob Higgins, and seconded by Dana Steffey, Ms. Feese's appointment to the Advanced Practice Registered Nurse Council was approved. No one voted in opposition.

GENERAL COUNSEL'S REPORT

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

Comments Received Regarding 201 KAR 20:700 Medication Aide Training Programs

Jeff Prather, General Counsel, presented the comments received regarding 201 KAR 20:700 Medication Aide Training Programs. After discussion and presentation of background materials the following action was taken:

- It was the recommendation of General Counsel that:
The proposed changes in Section 1(8) of 201 KAR 20:700 be approved

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

EdVera Applications – MIR in 201 KAR 20:220

Jeff Prather, General Counsel, explained the MIR in 201 KAR 20:220 in conjunction with 201 KAR 20:215 during the Education Committee report. After discussion and presentation of background materials the following action was taken:

- It was the recommendation of General Counsel that:
The proposed changes to the MIR included in 201 KAR 20:220 be approved

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

Special Meeting – Medical Cannabis Regulation

- It was the recommendation of General Counsel that:
A special meeting be called prior to September 15 to discuss the medical cannabis regulation

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

CREDENTIALS REVIEW PANEL

The reports of the Credentials Review Panel meetings held June 15, 2023 and July 20, 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 July 27, 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:

Proposed Changes to 201 KAR 20:215

Section 3

- It was the recommendation of the committee that:
The changes proposed in section 3 of 201 KAR 20:215 be approved as written.

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.

Section 5

- It was the recommendation of the committee that:
The changes proposed in section 5 of 201 KAR 20:215 be approved as written.

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

Section 8

- It was the recommendation of the committee that:
The changes proposed to section 8 of 201 KAR 20:215 be approved as written.

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.

Dr. Lemberger commented that this does not mean that implicit bias does not exist nor does it not impact healthcare outcomes.

NISF Report & Staff Recommendations

- It was the recommendation of KBN staff that:
The NISF report and staff recommendations 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 or abstained from voting.

PRACTICE COMMITTEE

The July 27, 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:

201 KAR 20:056

- It was the recommendation of the committee that:
201 KAR 20:056 Advanced practice registered nurse licensure and certification requirements, be approved, as submitted.

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

201 KAR 20:057

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

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

201 KAR 20:065

- It was the recommendation of the committee that:
201 KAR 20:065 Professional standards for prescribing Buprenorphine-Mono-Product or Buprenorphine-Combined-with-Naloxone by APRNs for medication assisted treatment of opioid use disorder, be approved, as submitted.

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

ADVANCED PRACTICE REGISTERED NURSE COUNCIL

The July 18, 2023 Advanced Practice Registered Nurse (APRN) 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.

LICENSED CERTIFIED PROFESSIONAL MIDWIVES ADVISORY COUNCIL

The July 31, 2023 Licensed Certified Professional Midwives 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 11:30 am to discuss Recommended Orders and personnel actions. The meeting was reconvened in open session at 12:16 pm.

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
001-08-23	Beard, Tabatha	RN License No. 1118465
002-08-23	Belanger, Mitzi	RN License No. 1141610
003-08-23	Cawood, Kathy	RN License No. 1114223
004-08-23	Collier, Anthony	RN License No. 1132205
005-08-23	Gamboa, Valerie	RN License No. 1099670
006-08-23	Gee, Kelly	RN License No. 1086095
007-08-23	Griffith, Alexandria	RN License No. 1164978
008-08-23	Lee, Elizabeth	LPN License No. 2027786
009-08-23	Nicholas, Darla	LPN License No. 2052210
010-08-23	Wells, Lily	TN RN License No. 218013

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

HEARING TRANSCRIPT

A copy of the transcript from the following hearing was provided for information only:

- KBN v. Cawood, Kathy – Condensed

PERSONNEL AFFIRMATIONS

The personnel affirmations attached to these minutes were provided for information only. No action was required.

CLOSED SESSION INFORMATIONAL ITEM(S):

- Human Resources:
 - Human Resources Report
 - Staff Training Hours – January 1-August 10
- Letter sent to KBN from KNA attorney

OTHER

The following items were provided for information only:

- KBN organizational chart, updated August 15, 2023

ADJOURNMENT

Upon a motion made by Erica Lemberger, and seconded by Dana Steffey the meeting was adjourned at 12:20 pm.

ATTEST APPROVED:

Audra Denker, DNP, RN, FAAN

President

10-19-23

Date

incl: Personnel Affirmations

/emk/ 0823

Branch Name	First name	Last name	Start Date	Action Type	Reason for Action
Nurse Investigator Section	Ann	Tino	06/16/2023	Position Number Change-Interna	Enterprise Structure Change
Case Management Section	Patricia	Smith	06/16/2023	Position Number Change-Interna	Enterprise Structure Change
Nurse Investigator Section	Bonnie	Fenwick	06/16/2023	Grade Change	Higher Salary
Nurse Investigator Section	Susan	Lawson	06/16/2023	Grade Change	Higher Salary
Nurse Investigator Section	Ann	Tino	06/16/2023	Grade Change	Higher Salary
Case Management Section	Patricia	Smith	06/16/2023	Grade Change	Higher Salary
Nurse Investigator Section	Pamela	Blazer	06/16/2023	Grade Change	Higher Salary
Case Management Section	Melissa	Haddaway	06/16/2023	Grade Change	Higher Salary
Case Management Section	Anna	Marling	06/16/2023	Grade Change	Higher Salary
Nurse Investigator Section	Debra	Seely	06/16/2023	Grade Change	Higher Salary
Case Management Section	Lisa	Sosnin	06/16/2023	Grade Change	Higher Salary
Nurse Investigator Section	Denise	Vititoe	06/16/2023	Grade Change	Higher Salary
Case Management Section	Richard	Vancise	06/16/2023	Grade Change	Higher Salary
Case Management Section	Lisa	Scott	06/16/2023	Grade Change	Higher Salary
Administrative Services Section	Steven	Russell	07/16/2023	Reallocation	Lower Grade
Administrative Services Section	Joanna	Marling	07/29/2023	Separation	R - Return to School
Licensing Section	Anna	Yi	06/16/2023	Change in Pay	Salary Adj
Education Branch	Joy	Pennington	06/16/2023	Change in Pay	Salary Adj
Education Branch	Deborah	Shepherd	06/16/2023	Change in Pay	Salary Adj
Education Branch	Elizabeth	Shreve	06/16/2023	Change in Pay	Salary Adj
Executive Branch	Jeffrey	Prather	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Rita	Comer	07/01/2023	Change in Pay	Salary Adj - Legislation
Nurse Investigator Section	Bonnie	Fenwick	07/01/2023	Change in Pay	Salary Adj - Legislation
KNAR Section	Julie	Lobo	07/01/2023	Change in Pay	Salary Adj - Legislation
Nurse Investigator Section	Susan	Lawson	07/01/2023	Change in Pay	Salary Adj - Legislation
Credentials Branch	Ruby	King	07/01/2023	Change in Pay	Salary Adj - Legislation
KNAR Section	Shannon	Whitlock	07/01/2023	Change in Pay	Salary Adj - Legislation
Administrative Services Section	Anna	Adams	07/01/2023	Change in Pay	Salary Adj - Legislation
Nurse Investigator Section	Ann	Tino	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Angela	Spencer	07/01/2023	Change in Pay	Salary Adj - Legislation
Licensing Section	Jodi	Velazquez	07/01/2023	Change in Pay	Salary Adj - Legislation
Administrative Services Section	Steven	Russell	07/01/2023	Change in Pay	Salary Adj - Legislation
Professional Practice Branch	Michelle	Gary	07/01/2023	Change in Pay	Salary Adj - Legislation
Program Coordinator Section	Jill	Cambron	07/01/2023	Change in Pay	Salary Adj - Legislation
Licensing Section	Karen	Huff	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Patricia	Smith	07/01/2023	Change in Pay	Salary Adj - Legislation
Licensing Section	Rachel	Williamson	07/01/2023	Change in Pay	Salary Adj - Legislation
Licensing Section	Tomeca	Faulkner	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Joseph	Lally	07/01/2023	Change in Pay	Salary Adj - Legislation
Nurse Investigator Section	Pamela	Blazer	07/01/2023	Change in Pay	Salary Adj - Legislation
IM Section	Eric	Velazquez	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Melissa	Haddaway	07/01/2023	Change in Pay	Salary Adj - Legislation
Professional Practice Branch	Myra	Goldman	07/01/2023	Change in Pay	Salary Adj - Legislation
Investigation Program Coordinato	Sarah	Wimsatt	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Carolyn	Hare	07/01/2023	Change in Pay	Salary Adj - Legislation
KNAR Section	Glenda	McClain	07/01/2023	Change in Pay	Salary Adj - Legislation
Program Coordinator Section	Bridget	Smith	07/01/2023	Change in Pay	Salary Adj - Legislation
Legal Service Section	Amy	Wheeler	07/01/2023	Change in Pay	Salary Adj - Legislation
Education Branch	Amanda	Padgett	07/01/2023	Change in Pay	Salary Adj - Legislation
Licensing Section	Anna	Yi	07/01/2023	Change in Pay	Salary Adj - Legislation
Legal Service Section	Kimberly	Nooning	07/01/2023	Change in Pay	Salary Adj - Legislation
Information Management Section	Jason	Oney	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Kelsea	Williams	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Anna	Marling	07/01/2023	Change in Pay	Salary Adj - Legislation
Licensing Section	Suha	Qattan-Walsh	07/01/2023	Change in Pay	Salary Adj - Legislation
Nurse Investigator Section	Debra	Seely	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Lisa	Sosnin	07/01/2023	Change in Pay	Salary Adj - Legislation
Nurse Investigator Section	Denise	Vititoe	07/01/2023	Change in Pay	Salary Adj - Legislation
Education Branch	Valerie	Jones	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Nathan	Goldman	07/01/2023	Change in Pay	Salary Adj - Legislation
Investigation Program Coordinator	Rita	Poynter	07/01/2023	Change in Pay	Salary Adj - Legislation
Administrative Services Section	Briana	Howard	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Richard	Vancise	07/01/2023	Change in Pay	Salary Adj - Legislation

Legal Service Section	Wanda	Webster	07/01/2023	Change in Pay	Salary Adj - Legislation
Administrative Services Section	D Richelle	Livers	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Erica	Klimchak	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Andre	Stuckey	07/01/2023	Change in Pay	Salary Adj - Legislation
Education Branch	Joy	Pennington	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Kelly	Jenkins	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Lisa	Scott	07/01/2023	Change in Pay	Salary Adj - Legislation
Investigation Program Coordinator	Dana	Thompson	07/01/2023	Change in Pay	Salary Adj - Legislation
Professional Practice Branch	Tina	Shoope	07/01/2023	Change in Pay	Salary Adj - Legislation
Professional Practice Branch	Sarah	Cecil	07/01/2023	Change in Pay	Salary Adj - Legislation
Education Branch	Deborah	Shepherd	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Pamela	Hagan	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Patricia	Abell	07/01/2023	Change in Pay	Salary Adj - Legislation
Case Management Section	Carrie	Ballard	07/01/2023	Change in Pay	Salary Adj - Legislation
Legal Service Section	John	Fleming	07/01/2023	Change in Pay	Salary Adj - Legislation
Legal Service Section	John	Michul	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Marina	McWilliams	07/01/2023	Change in Pay	Salary Adj - Legislation
Professional Practice Branch	Brittany	Click	07/01/2023	Change in Pay	Salary Adj - Legislation
Administrative Services Section	SiMya	Jackson	07/01/2023	Change in Pay	Salary Adj - Legislation
Executive Branch	Elizabeth	Shreve	07/01/2023	Change in Pay	Salary Adj - Legislation
Education Branch	Valerie	Jones	06/16/2023	Range Change	Special Entrance Rate
Legal Services Section	Tyler	Tucker	06/15/2023	Separation	T - Time Limit