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KENTUCKY BOARD OF NURSING
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BOARD MEETING MINUTES

February 18, 2021

MEMBERS PRESENT:

None

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

Jessica Wilson, APRN, President
Michele Dickens, RN, Vice-President
Jana Bailey, APRN
Audria Denker, RN
Jacob Higgins, RN
Jimmy Isenberg, RN
Susan Lawson, LPN
Erica Lemberger, RN
Adam Ogle, RN
Dana Steffey, RN
Carl Vinson, LPN
Mandi Walker, RN
Robyn Wilcher, RN
Kristi Hilbert, RN
Christina Perkins, Citizen at Large

MEMBERS ABSENT:

David Dickerson, Citizen at Large

STAFF PRESENT:

None

GUESTS PRESENT:

None

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

Jessica Estes, Interim Executive Director, KBN
Michelle Rudovich, Deputy Executive Director, KBN
Eric Velazquez, Information Management Section, KBN
Kelsea Bennett, Executive Legal Secretary, KBN
Erica Klimchak, Administrative Assistant, KBN
Morgan Ransdell, General Counsel, KBN
Nathan Goldman, Hearing Officer, KBN
Anna Adams, Administrative Services Section Supervisor, KBN
Adrienne Harmon, Executive Secretary, KBN
Amy Ninneman, NISF Program Coordinator & Education Consultant,
KBN

Amy Wheeler, Staff Attorney, KBN
Ann Tino, Investigations Branch Manager, KBN
Anne Veno
Andre Stuckey, Executive Assistant, KBN
Bernadette Sutherland
Betty Olinger
Brent Mills, ATA College
Brett Weber, ATA College
Brittany Burke
Carla Carter, Sullivan University, Lexington Campus
Carolyn Hare, APRN Investigator/Case Manager, KBN
Chrissy Blazer, Nursing Investigator, KBN
Cindy Landry, ATA College
Denise Smith
Denise Vititoe, Nursing Investigator, KBN
Donald Jones, ATA College
Erin Reasor, Southeast KCTC Middlesboro
Jason Howard
Jeff Prather, Legal Services Section Supervisor, KBN
Jeremy Harris
Jennifer Hart, Human Resource Administrator, KBN
Joy Pennington
Kathy Munday, ATA College
Kelli Selvage
Kimberly Noonning, Legal Secretary, KBN
Kimberly Richmond, RN/LPN Nursing Practice Consultant, KBN
Kim Williams, KCTCS
Melissa Haddaway, Nursing Investigator/Case Manager, KBN
Michelle Gary, Practice Assistant and Continuing Competency Coordinator, KBN
Nancy Powell, Somerset Community College, McCreary Center
Ruth Martin
Rita Poynter, Office Coordinator, KBN
Sam Yeboah, ATA College
Stefania Romano
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 10:04 a.m. on February 18, 2021, 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 December 17, 2020 board meeting were presented. Michele Dickens requested the minutes be amended to correct the spelling of her name. Upon a motion made by Audria Denker and seconded by Erica

Lemberger, the December 17, 2020 board meeting minutes were approved as amended by Michele Dickens. No one voted in opposition or abstained from voting.

STAFF RECOGNITION

Jeff Prather recognized Kimberly Nooning for five (5) years of service at the Kentucky Board of Nursing.

PRESIDENT'S REPORT

Dr. Wilson presented the President's Report, and included information on the following:

- Position posting – Executive Director. Dr. Wilson recommended that the board **RESCIND THE BOARD'S PRIOR DECISION IN DECEMBER TO APPOINT THE FULL BOARD AS THE SEARCH COMMITTEE FOR A NEW EXECUTIVE DIRECTOR, AND ALLOW DR. WILSON TO APPOINT A SMALLER SEARCH COMMITTEE COMPOSED OF BOARD MEMBERS AND KBN STAFF.** Upon a motion made by Michele Dickens, and seconded by Audria Denker, the recommendation was approved. No one voted in opposition or abstained from voting.
- Board member resignation – David Dickerson (Citizen at Large)
- Budget –biennial budget process
- Telecommuting by board staff

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report, which included the February financial summary. Upon a motion made by Jimmy Isenberg, and seconded by Kristi Hilbert, the Financial Officer's Report was approved as written. No one voted in opposition or abstained from voting.

INTERIM EXECUTIVE DIRECTOR'S REPORT

Dr. Jessica Estes, Interim Executive Director, presented the Interim Executive Director's report and included information on the following:

- Building
- Operations
 - Virtual Procedures
 - CE Broker
 - Telecommuting
 - Social Media
 - SRNA Data Roster Upload
 - Out of State Registry
- Personnel
- Training
- Criminal Background Checks
- NLC/NCSBN
- Upcoming Meetings
- Legal Update

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

GENERAL COUNSEL'S REPORT

Morgan Ransdell, General Counsel, presented the Administrative Regulation Status Report. Upon a motion made by Jana Bailey, and seconded by Jimmy Isenberg, the report was approved as written. No one voted in opposition or abstained from voting.

The General Counsel presented the staff recommendation to **APPROVE MINOR TECHNICAL CHANGES TO HB202 THAT WOULD CLARIFY LANGUAGE RELATED TO AUTHORIZATION OF APRNS TO ORDER DIRECT ADMINISTRATION OF DRUGS AND TREATMENTS.** Upon a motion made by Audria Denker, and seconded by Kristi Hilbert, the Board approved the staff recommendation. No one voted in opposition or abstained from voting.

CREDENTIALS REVIEW PANEL

The reports of the Credentials Review Panel meetings held December 17, 2020 and January 21, 2021 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 January 21, 2021 Education Committee meeting report was presented. Upon a motion made by Jimmy Isenberg and seconded by Michele Dickens, the Board approved 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:

JCTC Shelbyville

- It was the recommendation of the committee that:
 - **THE PROPOSAL, DATED OCTOBER 23, 2020, TO ESTABLISH AN ASSOCIATE DEGREE OF NURSING PROGRAM AT JEFFERSON COMMUNITY AND TECHNICAL COLLEGE, SHELBY COUNTY, KY BE ACCEPTED; AND**
 - **JEFFERSON COMMUNITY AND TECHNICAL COLLEGE, ASSOCIATE DEGREE NURSING PROGRAM, SHELBY COUNTY, KY BE GRANTED DEVELOPMENTAL APPROVAL STATUS.**

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

Southeast KCTC Middlesboro

- It was the recommendation of the committee that:
 - **THE REQUEST, DATED SEPTEMBER 9, 2020, FROM SOUTHEAST KCTC MIDDLESBORO TO INCREASE BASELINE ENROLLMENT FROM 40 STUDENTS ANNUALLY TO 55 STUDENTS ANNUALLY, BE DENIED.**

Erin Reasor, Dean of Healthcare and Technical Programming, Southeast KCTC Middlesboro, spoke in opposition of the committee recommendation.

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

Western Kentucky University

- It was the recommendation of the committee that:
 - **THE REQUEST, DATED OCTOBER 24, 2020, FROM WESTERN KENTUCKY UNIVERSITY (ONLINE) LPN TO ASN PROGRAM TO INCREASE BASELINE ENROLLMENT FROM 96 STUDENTS ANNUALLY TO 150 STUDENTS ANNUALLY, BE DENIED; AND**

- **WESTERN KENTUCKY UNIVERSITY (ONLINE) LPN TO ASN PROGRAM BE GRANTED A BASELINE ENROLLMENT INCREASE TO 120 STUDENTS ANNUALLY.**

Upon a motion made by Jimmy Isenberg and seconded by Michele Dickens, the Board approved the committee recommendations. Adam Ogle abstained from voting. No one voted in opposition.

Somerset Community College, McCreary Center –

- It was the recommendation of the committee that:
 - **THE PROPOSAL, DATED SEPTEMBER 23, 2020, TO ESTABLISH AN ASSOCIATE DEGREE PROGRAM AT SOMERSET COMMUNITY COLLEGE MCCREARY CENTER IN WHITLEY CITY, KY, NOT BE ACCEPTED; AND**
 - **THE SOMERSET COMMUNITY COLLEGE’S PROPOSED ASSOCIATE DEGREE OF NURSING PROGRAM AT SCC MCCREARY CENTER IN WHITLEY CITY, KY NOT BE GRANTED DEVELOPMENTAL APPROVAL STATUS.**

Nancy Powell, Dean Health Sciences, Somerset Community College, McCreary Center, spoke in opposition of the committee recommendations.

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

Somerset Community College, Manchester

- It was the recommendation of the committee that:
 - **THE PROPOSAL, DATED OCTOBER 13, 2020, TO ESTABLISH AN ASSOCIATE DEGREE NURSING PROGRAM FOR SOMERSET COMMUNITY COLLEGE AT ECU MANCHESTER CAMPUS IN MANCHESTER, KY, NOT BE ACCEPTED; AND**
 - **THE SOMERSET COMMUNITY COLLEGE’S PROPOSED ASSOCIATE DEGREE OF NURSING PROGRAM AT ECU MANCHESTER CAMPUS IN MANCHESTER, KY NOT BE GRANTED DEVELOPMENTAL APPROVAL STATUS.**

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

Sullivan University, Lexington Campus

- It was the recommendation of the committee that:
 - **THE PROPOSAL, DATED OCTOBER 19, 2020, TO ESTABLISH A PRACTICAL NURSING PROGRAM AT SULLIVAN UNIVERSITY LEXINGTON CAMPUS IN LEXINGTON, KY, NOT BE ACCEPTED; AND**
 - **THE SULLIVAN UNIVERSITY LEXINGTON CAMPUS PROPOSED PRACTICAL NURSING PROGRAM NOT BE GRANTED DEVELOPMENTAL APPROVAL STATUS.**

Carla Carter, Dean of Nursing, Sullivan University, Lexington Campus, spoke in opposition to the committee recommendations.

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

Sullivan University, Lexington Campus

- It was the recommendation of the committee that:
 - **THE PROPOSAL, DATED OCTOBER 19, 2020, TO ESTABLISH AN ASSOCIATE DEGREE IN NURSING PROGRAM AT SULLIVAN UNIVERSITY LEXINGTON, KY, NOT BE ACCEPTED; AND**
 - **THE SULLIVAN UNIVERSITY LEXINGTON CAMPUS PROPOSED ASSOCIATE DEGREE OF NURSING PROGRAM NOT BE GRANTED DEVELOPMENTAL APPROVAL STATUS.**

Carla Carter, Dean of Nursing, Sullivan University, Lexington Campus, spoke in opposition to the committee recommendations.

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

University of Louisville

- It was the recommendation of the committee that:
 - **THE PROPOSAL, DATED MARCH 1, 2020, TO ESTABLISH A SPECIALTY TRACK IN PEDIATRIC ACUTE CARE NURSE PRACTITIONER WITHIN THE UNIVERSITY OF LOUISVILLE'S DOCTOR OF NURSING PRACTICE (DNP) DEGREE PROGRAM BE ACCEPTED; AND**
 - **THE UNIVERSITY OF LOUISVILLE, LOUISVILLE CAMPUS, BE GRANTED DEVELOPMENTAL APPROVAL STATUS FOR ESTABLISHMENT OF AN ADDITIONAL SPECIALTY TRACK, PEDIATRIC ACUTE CARE PRACTITIONER, WITHIN THE DOCTOR OF NURSING PRACTICE (DNP) DEGREE PROGRAM.**

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

ATA College

- It was the recommendation of the committee that:
 - **THE OCTOBER 6-8, 2020 SITE VISIT REPORT OF ATA COLLEGE PRACTICAL NURSE TO ASSOCIATE DEGREE NURSING PROGRAM AND TRADITIONAL ASSOCIATE DEGREE PROGRAM, LOUISVILLE, KY, BE ACCEPTED; AND**
 - **THE REQUIREMENTS TO BE MET AS STATED IN THE OCTOBER 6-8, 2020 SITE VISIT REPORT OF ATA COLLEGE PRACTICAL NURSE TO ASSOCIATE DEGREE NURSING PROGRAM AND TRADITIONAL ASSOCIATE DEGREE PROGRAM, LOUISVILLE, KY, BE APPROVED; AND**
 - **THE ATA COLLEGE PRACTICAL NURSE TO ASSOCIATE DEGREE NURSING PROGRAM AND TRADITIONAL ASSOCIATE DEGREE PROGRAM, LOUISVILLE, KY, BE DENIED PROGRAM APPROVAL STATUS.**

Brent Mills, General Counsel and Shareholder, ATA College, spoke in opposition to the committee recommendations.

Upon a motion made by Jimmy Isenberg and seconded by Mandi Walker, the Board approved the committee recommendations. Adam Ogle voted no. No one abstained from voting.

PRACTICE COMMITTEE

The January 22, 2021 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.

The Quarterly Practice Inquiries Report was provided for information only.

CONSUMER PROTECTION COMMITTEE

No Report

ADVANCED PRACTICE REGISTERED NURSE COUNCIL

No Report

DIALYSIS TECHNICIAN ADVISORY COUNCIL

The January 7, 2021 and February 5, 2021 Dialysis Technician Advisory Council meeting reports were presented. The Board reviewed and approved by acclamation the reports as written. No one voted in opposition or abstained from voting.

GOVERNANCE COMMITTEE

The January 21, 2021 Governance Committee meeting report was presented. The Board reviewed and approved by acclamation the report with one correction to list Erica Lemberger as a guest attendee at the committee meeting, not a member. No one voted in opposition or abstained from voting. The following actions were taken after discussion and presentation of background materials:

Emergency Measures Related to Fingerprint-Driven Criminal Background Checks and CES Required of Reinstatement Applications

- It was the recommendation of the committee that:
 - **1) THE EMERGENCY MEASURES REGARDING FINGERPRINT-DRIVEN CRIMINAL BACKGROUND CHECKS AND CES REQUIRED OF REINSTATEMENT APPLICATIONS BE LIFTED.** A memorandum will be presented to the Governor's Office for approval. Once signed, fingerprint-driven criminal background check requirements and CE requirements will be reinstated 30 days thereafter.

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

Amendment of 201 KAR 20:506

- It was the recommendation of the committee that:
 - **THE MATERIAL INCORPORATED BY REFERENCE REGARDING THE UPDATE TO 201 KAR 20:056 BE APPROVED.** This change promulgates the New Nurse Licensure Compact Commission Rules, as required by KRS 314.475 Art. 1(c)(2).

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

Proposed Amendments to KBN Renewal and Universal Applications

- It was the recommendation of the committee that:
 - **THE AMENDMENTS TO THE KBN APPLICATION AND KBN RENEWAL APPLICATIONS BE APPROVED.** The proposed amendments include:
 - 1) Add a question regarding branch of military service to reduce the error rate (erroneous “yes” response to military service question);
 - 2) Add clarification in conviction questions to specify that traffic misdemeanors should not be reported, in conformity with the governing regulation;
 - 3) Remove KHEEA reference from attestation in light of complete elimination of KHEEA- based licensure discipline, which was implemented as a statutory change in 2019;
 - 4) Add statement related to primary state of residence, to indicate that verification of PSOR may be requested;
 - 5) Change header for address section from “Data Corrections: Complete ONLY if Needed” to “Current Mailing Address” as applicants will be required to fill out their current address with each renewal application, as the feature of prepopulating address with the previous year’s address is being removed to reduce the error rate; and
 - 6) Change publication date of this version of the application.

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

CERTIFIED PROFESSIONAL MIDWIVES ADVISORY COUNCIL

The January 25, 2021 CPM 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.

The LCPM disciplinary guidelines have been tabled for a future Board meeting. They will be discussed at the next Consumer Protection Committee meeting before coming to the full Board for a vote.

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.

Additionally, Dr. Estes provided a short presentation on the revised strategic plan initiatives, goals, and any progress made including: Board development, staff development, communication and metrics.

CLOSED SESSION

Dr. Estes 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 close 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 12:51 p.m. to discuss Recommended Orders, Recommended Orders with exceptions filed, and personnel affirmations. The meeting was reconvened in open session at 1:18 p.m.

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
031-02-21	Bluitt, Stephanie	LPN License No. 2047581
034-02-21	Peterson, Natalie	RN License No. 1125953
035-02-21	Shell, Sueann	RN Applicant Endorsement
036-02-21	Webb, Rebecca	RN License No. 1074851

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

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

Decision Number	Name	License Number
033-02-21	Harris, Jeremy	RN License No. 1135115 LPN License No. 2046664
032-02-21	Cain, Sunetta	RN License No. 1045558

A motion to accept the orders with exceptions filed regarding Decision Number 032-02-21 was made by Erica Lemberger, and seconded by Michele Dickens. The motion carried with no one voting in opposition and no one abstaining from the vote.

A motion to accept an Order with exceptions filed to amend the findings of fact regarding Decision Number 033-02-21 was made by Jimmy Isenberg, and seconded by Adam Ogle. The motion carried with no one voting in opposition and no one abstaining from the vote.

PERSONNEL AFFIRMATIONS

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

Personnel No.	Name	Org. Unit	Position Title	Action Type	Effective Date
190157	Jodi Velazquez	Licensing Section	Current: Administrative Specialist III New: Program Coordinator	Reclassification to Program Coordinator	2/16/2021

INFORMATION/ANNOUNCEMENTS

FUTURE BOARD DISCUSSION ITEMS

The following guest speakers will be rescheduled for a future Board meeting:

- AntiRacism KY Presentation OJ Oleka, PhD. – Co-Founder
- APRN Compact Presentation – Nicole Livanos, NCSBN

OTHER

Organizational Chart 2/16/2021 was provided for informational purposes.

ADJOURNMENT

Upon a motion made by Audria Denker and seconded by Adam Ogle the meeting was adjourned at 1:24 p.m.

ATTEST

APPROVED:



President

2/18/2021

Date