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KENTUCKY BOARD OF NURSING

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Andy Beshear
Governor

BOARD MEETING MINUTES

October 24, 2024

MEMBERS PRESENT:

Audria Denker, RN, President
Erica Lemberger, RN, Vice-President
Anne Veno, RN
Amber Powell, APRN
Miriam Haas, RN
Ashley Adkins, Citizen-at-Large
Darlena Jones, RN
Karen Sherfey, LPN
Jennifer Harpe-Bates, APRN
Jacob Higgins, RN

MEMBERS – VIDEO/AUDIO PHONE CONFERENCE:

Dana Steffey, LPN
Hope Jones, RN
Missy Bentley, RN
Ruth Martin, RN
Jane Smith, Citizen-at-Large

MEMBERS ABSENT:

Susan Ellis, RN
Jana Bailey, APRN

STAFF PRESENT:

Jeff Prather, General Counsel, KBN
Kelly Jenkins, Executive Director, KBN
Anna Adams, Administrative Services Supervisor, KBN
Erica Klimchak, Administrative Assistant, KBN
Jason Oney, Resource Management Analyst, KBN
JD Fleming, Legal Services Supervisor, KBN

Joe Lally, Deputy Executive Director, KBN
Morgan Ransdell, Hearing Officer, KBN
Andre Stuckey, Human Resources Administrator, KBN
Melissa Haddaway, Compliance Branch Manager, KBN
Ann Tino, Investigation Branch Manager, KBN
Matt Griffin, Information Management Supervisor, KBN

GUESTS AND STAFF –VIDEO/AUDIO

PHONE CONFERENCE:

Tina Hostuttler, Practice Branch Manager, KBN
Kelsea Williams, Legal Secretary, KBN
Bruce Kepley
Allison Ellerbrock
Rachel O'Brien
Robin Boughey
Marina McWilliams, APRN Investigation Branch Manager,
KBN
Joy Pennington, Executive Nurse Academic Officer, KBN
Ruby King, Credentials Branch Manager, KBN
Amy Wheeler, Staff Attorney, KBN
Ariel Weddle
Dina Byers
Lisa Jones
Kathy Khoshreza
David Barr, Staff Attorney, KBN
Elaina Deren, Paralegal, KBN
Connie Lamb

CALL TO ORDER

Audria Denker, President, called the October 24, 2024 meeting of the Kentucky Board of Nursing to order at 10:00 am in person and 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 August 15, 2024 Board meeting were presented. Upon a motion made by Ashley Adkins, and seconded by Miriam Haas, the August 15, 2024 meeting minutes were approved as amended. No one voted in opposition or abstained from voting.

PRESIDENT'S REPORT

Audria Denker, Board President, thanked staff for all of their hard work planning the Board retreat this year. She also commended Kelly Jenkins, KBN Executive Director, for putting Kentucky on the map with NCSBN. She has been asked to speak at various conferences, specifically regarding Kentucky being the first state to decriminalize medical errors, which is garnering a lot of attention around the country.

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report. Upon a motion made by Amber Powell, and seconded by Jacob Higgins, 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:

- Operations
 - i. ORBS
 - ii. Workforce Projection Model
 - iii. Medicinal Cannabis and CMA applications
 - iv. NCSBN Medication Aide Certification Exam
- Professional Development
- Personnel
- Training for Board Members

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

2024-25 Hearing Dates and Panel Member Selections

The 2024-25 hearing dates and panel member selections was provided for information only.

GENERAL COUNSEL'S REPORT

Jeff Prather, General Counsel, presented the General Counsel's Report. Upon a motion made by Miriam Haas, and seconded by Karen Sherfey, 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 meeting held August 15, 2024 and September 19, 2024 were presented. The Board reviewed and approved by acclamation the reports as written. No one voted in opposition or abstained from voting.

EDUCATION COMMITTEE

September 19, 2024

The September 19, 2024 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. Following discussion and presentation of background materials, the following actions were taken:

Education committee objectives

- It was the recommendation of the committee that:
The Education Committee Objectives for 2024-2025 be approved as presented.

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.

Education committee scope and functions

- It was the recommendation of the committee that:
The Education Committee Scope and Functions for 2024-2025 be approved as presented.

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.

American National University ASN site visit

- It was the recommendation of the committee that:
The requirements to be met as stated in the site visit report be approved with quarterly progress reports providing evidence to those requirements, beginning October 31, 2024, and American National University Associate Program Pikeville, Ky, and remain an approved program of nursing and a follow-up site visit to be conducted in March of 2025.

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

Galen College of Nursing – Louisville ASN site visit

Audria Denker and Hope Jones recused themselves from the discussion and vote due to employment. Erica Lemberger assumed the duties of Meeting Chair, and Jacob Higgins assumed the Education Chair duties.

- It was the recommendation of the committee that:
The requirements to be met as stated in the site visit report be approved with quarterly progress reports providing evidence to those requirements, beginning December 31, 2024, and Galen College Associate Program Louisville, Ky remain an approved program of nursing

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

Galen College of Nursing – Louisville ASN site visit

Audria Denker and Hope Jones recused themselves from the discussion and vote due to employment. Erica Lemberger assumed the duties of Meeting Chair, and Jacob Higgins assumed the Education Chair duties.

- It was the recommendation of the committee that:
The requirements to be met as stated in the site visit report be approved with quarterly progress reports providing evidence to those requirements, beginning June 30, 2025, and Galen College Practical Program Louisville, Ky remain an approved program of nursing.

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

Consideration of conditional status or timeframe for programs of nursing on initial status

- It was the recommendation of the committee that:

A workgroup of Education Committee members be formed to explore a potential conditional status for programs of nursing on initial status. The following committee members volunteer to serve on the workgroup:

- **Susan Ellis**
- **Ruth Martin**
- **Karen Sherfey**
- **Erica Lemberger (Ex-officio)**

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

Program administrator turnover concerns

- It was the recommendation of the committee that:

A workgroup of Education Committee members be formed to look at program administrator turnover and any associated regulations. The following committee members volunteer to serve on the workgroup:

- **Jacob Higgins**
- **Hope Jones**
- **Missy Bentley**
- **Erica Lemberger (Ex-officio)**

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

PRACTICE COMMITTEE

September 20, 2024

The September 20, 2024 Practice Committee meeting report was presented. It was mentioned that the next meeting date included in the report was incorrect, it should be November 22, 2024. Upon a motion made by Miriam Haas, and seconded by Karen Sherfey, the Board approved the report as revised. No one voted in opposition or abstained from voting. Following discussion and presentation of background materials, the following actions were taken:

Practice committee scope and functions

- It was the recommendation of the committee that:
The 2024-2025 Practice Committee Scope and Functions, as revised, be approved.

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

Practice committee objectives

- It was the recommendation of the committee that:
The 2024-2025 Practice Committee Objectives, as revised, be approved.

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

Advisory Opinion Statements

AOS #8 Role of nurses in the perioperative setting

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #8 Role of Nurses in the Perioperative Setting, be approved by the Board, with specified revisions.

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

AOS #3 Recommended course content infusion therapy for registered nurses and licensed practical nurses

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #3 Recommended Course Content Infusion Therapy for Registered Nurses and Licensed Practical Nurses, be approved by the Board, as submitted.

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

AOS #11 Role of nurses in the performance of gastrointestinal and genitourinary procedures

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #11 Role of Nurses in the Performance of Gastrointestinal and Genitourinary Procedures, be approved by the Board, as submitted.

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

Additionally, upon a motion made by Jacob Higgins, and seconded by Miriam Haas, the Board approved the following revision. No one voted in opposition or abstained from voting:

AOS #11 be revised to include LPNs in item #1 related to delegation of tasks.

AOS #19 Responsibility and accountability for patient care assignments and nursing care delivery

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #19 Responsibility and Accountability for Patient Care Assignments and Nursing Care Delivery, be approved by the Board, as submitted.

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

Additionally, upon a motion made by Anne Veno, and seconded by Miriam Haas, the Board approved the following revision. No one voted in opposition or abstained from voting:

The reporting requirements on page 3 of AOS #11 be revised to state the following:

The appropriate CMS-approved accrediting organization.

AOS #41 RN/LPN scope of practice determination guidelines

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #41 RN/LPN/APRN Scope of Practice Determination Guidelines, be approved by the Board, with specified revisions.

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

FY 2023-24 Practice Inquiry Report

The FY 2023-24 practice inquiry report was provided for information only,

CONSUMER PROTECTION COMMITTEE

The September 19, 2024 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:

Proposed changes to consent decree guidelines

- It was the recommendation of the committee that:
The proposed changes to the consent decree guidelines be approved as written.

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

Proposed changes to disciplinary actions and APRN disciplinary actions guidelines

- It was the recommendation of the committee that:
The proposed changes to the disciplinary actions and APRN disciplinary actions guidelines be approved as written.

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

Additional language to agreed orders and KARE agreements

- It was the recommendation of the committee that:
The proposed additional language to agreed orders and KARE agreements be approved as written.

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

Updated term in KARE program agreements

- It was the recommendation of the committee that:
The updated term in the KARE program agreements be approved as written.

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

GOVERNANCE COMMITTEE

September 19, 2024

The September 19, 2024 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. Following discussion and presentation of background materials, the following actions were taken:

Revised Strategic Plan

A copy of the most current Strategic Plan was provided for information only.

Nomination of APRN Medical Cannabis Practitioner Board of Physicians and Advisors

- It was the recommendation of the committee that:
Thomas “Perry” Colley be accepted as the KBN nominee to the APRN Medical Cannabis Practitioner Board of Physicians and Advisors.

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.

Kelly Jenkins presented, for information only, a joint statement of the Kentucky Boards of Medical Licensure, Nursing and Pharmacy regarding retail IV therapy. Once finalized, the statement will be posted on KBN’s website and social media. It will also be sent to professional organizations and all licensees.

Before moving to closed session, Anne Venno raised a question regarding the disciplinary guidelines, specifically violations for a positive drug screen, presented during the Consumer Protection Committee Report. After discussion, it was decided to un-strike “medical discrepancies” in the language regarding reprimands. Since this was a simple grammatical change, it did not require a vote.

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 11:52 am to discuss Recommended Orders and personnel actions. The meeting was reconvened in open session at 12:15 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
038-10-24	Kimberly Anderson	MS LPN 327448
039-10-24	Brittany Cheek	RN 1162111/ IN RN 28265557A
040-10-24	Taylor Childers	LPN 2051800
041-10-24	Jennifer Dill	RN 1137771
042-10-24	Dinah Duff	RN 1083288
043-10-24	Maranda Dunn	RN 1126929
044-10-24	Sandra Duvall	RN 1084921
045-10-24	Lori Evans	RN 1118617
046-10-24	Lindsay Glodo	LPN 2053857
047-10-24	Erica Harris	RN 1112693
049-10-24	Kathern Honeycutt	RN 1099914
050-10-24	Heather Hotaling	RN 1152054
051-10-24	Aleisha Judge	TN LPN 79569
052-10-24	Carlee Lundy	RN 1127487
053-10-24	Patricia Messinger	RN 1155120
054-10-24	Courtney Mitchell	MS LPN 318622
055-10-24	Mary Newman	RN 1092863/ APRN 3007590
056-10-24	Vincent Niev	RN 1157751
057-10-24	Christina Osborne	AL RN 1-151534
058-10-24	Kandy Parsons	DT 8001617
059-10-24	Sonya Peacock	RN 1104441/ LPN 2033517
060-10-24	Anna Pecina	LPN 2052040

061-10-24	Brian Perry	NE RN 90237
062-10-24	John Pierce	NC RN 140125
063-10-24	Regina Price	LPN 2050494/ TN LPN 88510
064-10-24	Loyce Pullins	LPN 2039857
065-10-24	Taylor Richardson	RN 1161697
066-10-24	Jennifer Riddle	LPN 2035478
067-10-24	Kathy Ridener	LPN 2043190
068-10-24	Emily Robbins	VA LPN 0002082821
069-10-24	Cassie Roe	RN 1176903
070-10-24	Ashley Stewart	RN 1149387
071-10-24	Savanna Taylor	LPN 2051507
072-10-24	Deborah Thomas	GA RN 285018
073-10-24	Kimberly Toombs	RN 1107448
074-10-24	Nancy Travis	VA LPN 0002-082896
075-10-24	Kerri Troxel	LPN 2052110
076-10-24	Bethanie Watts	RN 1102396
077-10-24	Janet York	RN 1076918

Anne Veno and Miriam Haas recused themselves from the vote on the following orders due to a conflict of interest:

- Brittany Cheek
- Taylor Richardson

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

AFTER HAVING CONSIDERED THE RECORD AND THE EXCEPTIONS FILED BY THE PETITIONER, THE FOLLOWING RECOMMENDED ORDERS WERE ADOPTED:

Decision Number	Name	License Number
048-10-24	Danelle Hoeh	LPN App by Endorsement

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

Final Order

The final order for Chris Dixon vs. KY Board of Nursing was presented in closed session for information only.

HUMAN RESOURCES

The following items were provided for information only in closed session:

- Personnel affirmations
- Staff training hours report

OTHER

The following items were provided for information only:

- KBN organizational chart, updated September 24, 2024

ADJOURNMENT

Upon a motion made by Amber Powell, and seconded by Darlena Jones the meeting was adjourned at 12:30 pm.

ATTEST

APPROVED:

Audra Denker, DNP, RN, FAAN

President

12/19/2024

Date

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