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KENTUCKY BOARD OF NURSING

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Andy Beshear
Governor

BOARD MEETING MINUTES

October 19, 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
Amber Powell, RN
Jana Bailey, APRN
Missy Bentley, RN
Miriam Haas, LPN
Jane Smith, Citizen-at-Large
Susan Ellis, RN
Ashley Adkins, Citizen-at-Large
Jacob Higgins, RN
Hope Jones, RN
Dana Steffey, LPN
Karen Sherfey, 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
JD Fleming, Legal Services Supervisor, KBN
Tricia Smith, Compliance Branch Manager, KBN

Anna Adams, Administrative Services Section Manager, KBN
Myra Goldman, Professional Support Branch Manager, KBN
Ruby King, Credentials Branch Manager, KBN
Angie Spencer, Human Resources Administrator, KBN
Amy Wheeler, Staff Attorney, KBN
Ann Tino, Investigation Branch Manager, KBN
Marina McWilliams, APRN Manager, KBN
Tina Shoope, Nursing Practice Consultant, KBN
Eric Velazquez, IM Section Supervisor, KBN
Joy Pennington, Executive Nurse Academic Officer, KBN
Amanda Padgett, Resource Management Analyst, KBN
Patricia Abell, Case Advisor, KBN
Sarah Cecil, APRN Practice Consultant
Roxanna Oldham
Jacob Sherfey
Megan Honeycutt
Amy Wallace
Jessica Chapman
Melanie Jackson
Pamela Hunt
Bailey Taylor
Miriam Clark
Tammy Dean
Lisa Turner
Brittany Bartrum
Ashley Rose
Brooke Bentley
Amy Pettit
Dina Byers

CALL TO ORDER

Audria Denker, President, called the October 19, 2023 meeting of the Kentucky Board of Nursing to order at 10:03 am by videoconference via Zoom software application.

SWEARING IN OF NEW BOARD MEMBER

Miriam Haas was sworn in by General Counsel, Jeff Prather, as an LPN Board member. Ms. Haas fills the vacancy created by Susan Lawson's term expiration.

Amber Powell was sworn in by General Counsel, Jeff Prather, as an RN Board member. Ms. Powell fills the vacancy created by Mandi Walker's term expiration.

Karen Sherfey was sworn in by General Counsel, Jeff Prather, as an LPN Board member. Ms. Sherfey fills the vacancy created by Carl Vinson's term expiration.

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 24 2023 Board meeting were presented. Upon a motion made by Jana Bailey, and seconded by Susan Ellis, the August 24, 2023 meeting minutes were approved as written. No one voted in opposition or abstained from voting.

PRESIDENT'S REPORT

Audria Denker, Board President, thanked KBN staff for making the annual Board retreat a great success.

FINANCIAL OFFICER'S REPORT

Anna Adams, Administrative Services Supervisor, presented the Financial Officer's Report, which included the September financial summary. Upon a motion made by Erica Lemberger, and seconded by Ruth Martin, 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. Renewals
 - 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 Adam Ogle, and seconded by Erica Lemberger, the Executive Director's Report was accepted as written. No one voted in opposition or abstained from voting.

2023-2024 Meeting Calendar

Kelly Jenkins presented the 2023-2024 proposed meeting calendar. Upon a motion made by Ashley Adkins, and seconded by Hope Jones, the 2023-2024 meeting calendar was approved as amended. No one voted in opposition.

GENERAL COUNSEL'S REPORT

Kelly Jenkins, Executive Director, presented the General Counsel's Report. Upon a motion made by Dana Steffey, and seconded by Susan Ellis, 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 meeting held August 24, 2023 was presented. The Board reviewed and approved by acclamation the reports as written. No one voted in opposition or abstained from voting.

EDUCATION COMMITTEE

The September 21, 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:

Education Committee Objectives

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

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.

Education Committee Scope and Functions

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

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.

Bellarmino University AGACNP Degree Program Proposal

- It was the recommendation of the committee that:
Bellarmino University AGACNP Degree Program Proposal be approved as 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.

Bellarmino University AGACNP Post-Master Certificate Program Proposal

- It was the recommendation of KBN staff that:
Bellarmino University AGACNP Post-Master Certificate Program Proposal be approved as submitted.

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.

Big Sandy CTC ASN (MEEP) Program – Pikeville Campus Site Visit

- It was the recommendation of the committee that:
Big Sandy Community and Technical College ASN (MEEP) Program of Nursing remain on initial status, with quarterly progress reports providing supportive evidence concerning the program's progress in fulfilling the requirements to be met, to be submitted beginning November 30, 2023.

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

Big Sandy CTC Program Administrator Release Time Exemption Request

- It was the recommendation of the committee that:
Big Sandy Community and Technical College program administrator release time exemption request be approved as submitted.

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.

Galen College of Nursing PN Program – Pikeville Campus Proposal

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

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.

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

Galen College of Nursing ASN Program – Pikeville Campus Proposal

- It was the recommendation of the committee that:
The Galen College of Nursing ASN Program – Pikeville Campus Proposal be approved as submitted.

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

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

MedQuest PN Program – Louisville Campus Site Visit

- It was the recommendation of the committee that:
MedQuest College – Louisville Campus PN program of Nursing remain on Initial Status, with quarterly progress reports providing supportive evidence concerning the program’s progress in fulfilling the Requirements to be Met, to be submitted beginning December 1, 2023 and a follow-up site visit in Spring 2024.

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.

Northern Kentucky University BSN Program – Williamstown Campus Letter of Intent

- It was the recommendation of the committee that:
Northern Kentucky University BSN Program – Williamstown Campus Letter of Intent be approved as submitted.

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

Lincoln Memorial University BSN Program – Lexington Campus Proposal

- It was the recommendation of the committee that:
Lincoln Memorial University BSN Program – Lexington Campus Proposal be approved as submitted

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

Jacob Higgins abstained from the vote.

PRACTICE COMMITTEE

The September 22, 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:

Practice Committee Scope and Functions

- It was the recommendation of the committee that:
The 2023-2024 Practice Committee Scope and Functions, as revised, be approved.

Upon a motion made by Anne Veno, and seconded by Jana Bailey, 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 2023-2024 Practice Committee Objectives, as revised, be approved.

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

DT Council Scope and Functions

- It was the recommendation of the committee that:
The 2023-2024 Dialysis Technician Advisory Council Scope and Functions, as revised, be approved.

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

DT Council Objectives

- It was the recommendation of the committee that:
The 2023-2024 Dialysis Technician Advisory Council Objectives, as revised, be approved

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

ADVISORY OPINION STATEMENTS

AOS 21 Roles of Nurses and Technicians in Dialysis

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #21 Roles of Nurses and Technicians in Dialysis, as revised, be approved

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

AOS 22 Roles of Nurses Who Provide Private Duty Nursing

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #22 Roles of Nurses Who Provide Private Duty Nursing as revised, be approved.

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

AOS 29 Roles of Nurses in Respiratory Nursing Practice

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #29 Role of Nurses in Respiratory Nursing, as revised, be approved

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

AOS 33 Roles of Nurses in the Delegation of Tasks to Paramedics in the Hospital Emergency Department

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #29 33 Roles of Nurses in the Delegation of Tasks to Paramedics in the Hospital Emergency Department, as revised, be approved

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

AOS 34 Roles of Nurses in Maintaining Confidentiality of Patient Information

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #34 Roles of Nurses in Maintaining Confidentiality of Patient Information, as revised, be approved.

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

AOS 40 Social Media for Nurses

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #40 Social Media for Nurses be withdrawn from publication

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

AOS 35 Cosmetic and Dermatological Procedures by Nurses

- It was the recommendation of the committee that:
Advisory Opinion Statement (AOS) #35 Roles of Nurses in Cosmetic and Dermatological Procedures, as revised, be approved.

Myra Goldman, Professional Support Branch Manager, provided a summary of the revisions to AOS 35.

Upon a motion made by Anne Veno, and seconded by Jana Bailey, the Board approved the

committee recommendations. No one voted in opposition or abstained from voting.

Practice Inquiry Report

The FY 2022-2023 Practice Inquiry Report was provided for information only.

ADVANCED PRACTICE REGISTERED NURSE COUNCIL

The September 6, 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. Following discussion and presentation of background materials, the following actions were taken:

Council Objectives

- It was the recommendation of the council that:
THE 2023-2024 APRN Council Objectives, as presented, be approved

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

Council Scope and Functions

- It was the recommendation of the council that:
THE 2023-2024 APRN Council Scope and Functions, as presented, be approved

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

Scope and Practice in the Use of Acupuncture by APRNs

- It was the recommendation of the council that:
The performance of acupuncture is within the scope of practice for the APRN who is currently educationally prepared and clinically competent in the performance of the procedure. Further, the APRN should maintain documentation of having completed a nationally recognized course of study in acupuncture. The performance of acupuncture should be in accordance with documented facility policy and procedures and credentialing processes, as well as current evidence-based practice.

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

Dry Needling

- It was the recommendation of the council that:
The performance of dry needling is within the scope of practice for the APRN who is currently educationally prepared and clinically competent in the performance of the procedure. Further, the APRN should maintain documentation of having completed a nationally recognized course of study on dry needling. The performance of dry needling should be in accordance with documented facility policy, credentialing, and procedures as well as current evidence-based practice

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

There was discussion regarding the difference between acupuncture and dry needling and the education requirements for both.

APRN Scope of Practice in the Performance of Infant Male Circumcision

- It was the recommendation of the council that:
It is within the scope of advanced registered nursing practice of the Certified Nurse Midwife, who is educationally prepared and clinically competent, to perform infant circumcisions.

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

DIALYSIS TECHNCIAN ADVISORY COUNCIL

The August 15, 2023 Dialysis Technician 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.

GOVERNANCE COMMITTEE

The September 21, 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. Following discussion and presentation of background materials, the following actions were taken:

Board Officer Elections

- It was the recommendation of the committee that:
Changing the Board Officer Elections to alternating years be approved.

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

201 KAR 20:225

- It was the recommendation of the committee that:
The proposed changes to 201 KAR 20:225 be approved as written.

Upon a motion made by Adam Ogle, and seconded by Missy Bentley, the Board approved the committee recommendations. 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 11:08 am to discuss Recommended Orders and personnel actions. The meeting was reconvened in open session at 11:27 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
011-10-23	Blackmon, Larreatta	LPN License No. 2051192
012-10-23	Bray, Kimberly	LPN License No. 2041441
013-10-23	Brown, Sandra	RN License No. 1116967
014-10-23	Campbell, Isaiah	RN License No. 1174328
015-10-23	Carroll, Donna	RN License No. 1086598
016-10-23	Childress, Donna	LPN License No. 2028042
017-10-23	Connor, Holly	APRN License No. 3008037
018-10-23	Cooper, Jessica	LPN License No. 2048953
019-10-23	Curtsinger, Kristi	RN License No. 1108562
020-10-23	Dobson, Cathy	RN License No. 1051152
021-10-23	Donaway, David	RN License No. 1123543/ LPN License No. 2033186
022-10-23	Feltner, Rhonda	RN License No. 1082928
023-10-23	Gifford, Nathaniel	LPN License No. 2050158
024-10-23	Givens, Denise	LPN License No. 2042341
025-10-23	Hall, Linda	RN License No. 1074016
026-10-23	Hubbell, Joyce	LPN License No. 2026185

027-10-23	King, Patricia	LPN License No. 2029032
029-10-23	Mayo, Savanna	RN License No. 1166538
030-10-23	Peldo, Amy	RN License No. 1106702
031-10-23	Pennell, Samantha	LPN License No. 2049145
032-10-23	Reed, Audriana	RN License No. 1143669/ LPN License No. 2049517
033-10-23	Singleton, Crystal	RN License No. 1130924/ LPN License No. 2045249
034-10-23	Sriegel, Melissa	RN License No. 1116570
035-10-23	Stull, Pamela	LPN License No. 2027594
036-10-23	Wallace, Heather	MS PN MSL License No. 2016020279
037-10-23	Walton, Joanne	RN License No. 1116046

A motion to accept the orders regarding the above list of licensees was made by Dana Steffey, and seconded by Ashley Adkins. 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 THE PETITIONER, THE FOLLOWING RECOMMENDED ORDERS WERE ADOPTED:

Decision Number	Name	License Number
028-10-23	Lambert, Lila	RN License No. 1133865

A motion to accept the order 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. Lambert, Kathy – Condensed

PERSONNEL AFFIRMATIONS

The personnel affirmations were provided in closed session for information only.

CLOSED SESSION INFORMATIONAL ITEM(S):

- Staff Training Hours Report

OTHER

The following items were provided for information only:

- KBN organizational chart, updated October 5, 2023

ADJOURNMENT

Upon a motion made by Adam Ogle, and seconded by Erica Lemberger, the meeting was

adjourned at 11:35 am.

ATTEST

APPROVED:

Audra Denker, DNP, RN, FAAN

President

12/14/23

Date

/emk/ 1023