

Kansas State Board of Nursing

Motion Number: 33

Meeting: Board

Date: September 16, 2020

Action:  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

I move that, pursuant to K.S.A. 2018 Supp. 77-527 of the Kansas Administrative Procedure Act, the Board designate and delegate to Carol Bregdon its authority as agency head to review, decide, and issue any orders concerning petitions for review, petitions for reconsideration, and motions for stay filed with the Board and taking any other action related thereto until further action by the Board.

Signature of Maker: <u>Via Zoom</u>						
<input checked="" type="checkbox"/> Zeller	<input type="checkbox"/> Bragdon	<input type="checkbox"/> Rieschick	<input type="checkbox"/> Loyd	<input type="checkbox"/> Ramsdell	<input type="checkbox"/> Gone	
<input type="checkbox"/> Karstetter	<input type="checkbox"/> Watson	<input type="checkbox"/> Noble	<input type="checkbox"/> Sander	<input type="checkbox"/> Gouldsmith		
<b>Second:</b>						
<input type="checkbox"/> Zeller	<input type="checkbox"/> Bragdon	<input type="checkbox"/> Rieschick	<input type="checkbox"/> Loyd	<input type="checkbox"/> Ramsdell	<input checked="" type="checkbox"/> Gone	
<input type="checkbox"/> Karstetter	<input type="checkbox"/> Watson	<input type="checkbox"/> Noble	<input type="checkbox"/> Sander	<input type="checkbox"/> Gouldsmith		

Kansas State Board of Nursing

Motion Number: 31

Meeting: Board

Date: September 16, 2020

Action:  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

I move that, should Carol Bragdon be unable to serve as agency head, the Board designate Fatsy Zeller to serve as an alternate agency head and, in such circumstances, the Board delegate to Board Presidency its authority pursuant to K.S.A. 2018 Supp. 77-527 of the Kansas Administrative Procedure Act to review, decide, and issue any orders concerning petitions for review, petitions for reconsideration, and motions for stay filed with the Board and taking any other action related thereto until further action by the Board.

Signature of Maker: Via Zoom

- Zeller       Bragdon       Rieschick       Loyd       Ramsdell       Gone
- Karstetter       Watson       Noble       Sander       Gouldsmith

- Second:**
- Zeller       Bragdon       Rieschick       Loyd       Ramsdell       Gone
  - Karstetter       Watson       Noble       Sander       Gouldsmith

Kansas State Board of Nursing

Motion Number: 35

Meeting: \_\_\_\_\_

Date: September 16, 2020

**Action:**  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

I move that the Board designate and delegate to the Board President the Board's authority to:

(1) Make a reasonable grounds determination pursuant to K.S.A. 65-1120(b), and amendments thereto, of the Kansas Nurse Practice Act regarding matters that have been recommended for emergency proceedings by staff or counsel; and

(2) Act as Presiding Officer pursuant to K.S.A. 2018 Supp. 77-514(g) and 77-551(a) and (c) and amendments thereto, of the Kansas Administrative Procedures Act, to conduct emergency proceedings and issue an order as required by K.S.A. 2018 Supp. 77-536 on all matters that are being or have been investigated for any alleged violation of or compliance with the Kansas Nurse Practice Act or regulations adopted thereunder, unless the President determines the emergency proceeding should be conducted and decided by the Investigative Committee.

Signature of Maker: Via Zoom

- |  |                                  |                                    |                                 |                                     |                               |
|--|----------------------------------|------------------------------------|---------------------------------|-------------------------------------|-------------------------------|
| <input type="checkbox"/> Zeller                | <input type="checkbox"/> Bragdon | <input type="checkbox"/> Rieschick | <input type="checkbox"/> Loyd   | <input type="checkbox"/> Ramsdell   | <input type="checkbox"/> Gone |
| <input checked="" type="checkbox"/> Karstetter | <input type="checkbox"/> Watson  | <input type="checkbox"/> Noble     | <input type="checkbox"/> Sander | <input type="checkbox"/> Gouldsmith |                               |

**Second:**  Zeller     Bragdon     Rieschick     Loyd     Ramsdell     Gone  
 Karstetter     Watson     Noble     Sander     Gouldsmith

Kansas State Board of Nursing

Motion Number: 30

Meeting: Board

Date: September 16, 2020

**Action:**  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

Subject to motion number 35 regarding delegation to the Board President, I move that if the President is not available to act as described in motion number 35, the Vice President of the Board is so designated and delegated to act as described in motion number 35.

<b>Signature of Maker:</b> <u>Via Zoom</u>						
<input type="checkbox"/> Zeller	<input type="checkbox"/> Bragdon	<input type="checkbox"/> Rieschick	<input type="checkbox"/> Loyd	<input type="checkbox"/> Ramsdell	<input type="checkbox"/> Gone	
<input type="checkbox"/> Karstetter	<input type="checkbox"/> Watson	<input type="checkbox"/> Noble	<input checked="" type="checkbox"/> Sander	<input type="checkbox"/> Gouldsmith		
<b>Second:</b>						
<input type="checkbox"/> Zeller	<input type="checkbox"/> Bragdon	<input type="checkbox"/> Rieschick	<input type="checkbox"/> Loyd	<input type="checkbox"/> Ramsdell	<input type="checkbox"/> Gone	
<input type="checkbox"/> Karstetter	<input checked="" type="checkbox"/> Watson	<input type="checkbox"/> Noble	<input type="checkbox"/> Sander	<input type="checkbox"/> Gouldsmith		

**Kansas State Board of Nursing**

Motion Number: 37

Meeting: Board

Date: September 16, 2020

**Action:**  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

I move that the Board designate and delegate to the Chair of the Investigative Committee the Board's authority to:

(1) Issue to an applicant meeting the qualifications and requirements of the Kansas Nurse Practice Act and the Nurse Licensure Compact Act any license, certificate of qualification or authorization to practice nursing;

(2) Conduct hearings, enter into settlements, and issue decisions regarding the assessment of fines pursuant to K.S.A. 74-1110 and amendments thereto, involving an allegation that a person who submitted an initial, renewal, endorsement, or reinstatement application for any license, certificate of qualification or authorization to practice nursing has violated or not complied with the Kansas Nurse Practice Act or regulations adopted thereunder;

(3) Make a reasonable grounds determination pursuant to K.S.A. 65-1120(b), and amendments thereto, regarding applications that are being investigated or have been investigated for any alleged violation of or compliance with the Kansas Nurse Practice Act or regulations promulgated thereunder by the Board; and

(4) Act as Presiding Officer pursuant to K.S.A. 2018 Supp. 77-514(g) and 77-551(a) and (c) and amendments thereto, of the Kansas Administrative Procedures Act, to review, decide and issue any orders on matters involving all applications whether initial, renewal, endorsement, or reinstatement for any license, certificate of qualification or authorization to practice nursing that have been investigated for any alleged violation of or compliance with the Kansas Nurse Practice Act or regulations adopted thereunder; such delegation includes, but is not limited to:

- sending warning or reprimand letters;
- entering into settlement agreements;
- conducting KAPA proceedings and hearings;
- issuing prehearing orders;
- issuing initial orders denying or imposing limitations on any license, certificate, or authorization to practice nursing under the Kansas Nurse Practice Act; and
- taking any other action related thereto

unless the President determines the matter should be sent to the Office of Administrative Hearings for further proceedings or considered and decided by the Investigative Committee.

**Signature of Maker:** Via Zoom

<input type="checkbox"/> Zeller	<input type="checkbox"/> Bragdon	<input checked="" type="checkbox"/> Rieschick	<input type="checkbox"/> Loyd	<input type="checkbox"/> Ramsdell	<input type="checkbox"/> Gone
<input type="checkbox"/> Karstetter	<input type="checkbox"/> Watson	<input type="checkbox"/> Noble	<input type="checkbox"/> Sander	<input type="checkbox"/> Gouldsmith	

**Second:**

<input type="checkbox"/> Zeller	<input type="checkbox"/> Bragdon	<input type="checkbox"/> Rieschick	<input type="checkbox"/> Loyd	<input type="checkbox"/> Ramsdell	<input type="checkbox"/> Gone
<input checked="" type="checkbox"/> Karstetter	<input type="checkbox"/> Watson	<input type="checkbox"/> Noble	<input type="checkbox"/> Sander	<input type="checkbox"/> Gouldsmith	

Kansas State Board of Nursing

Motion Number: 386

Meeting: Board

Date: September 16, 2020

**Action:**  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

Subject to motion number 37 regarding delegation to the Chair of the Investigation Committee, I move that if the Chair is not available, the Vice Chair of the Investigative Committee is so designated and delegated to act as described in motion number 37.

Signature of Maker: Via Zoom

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|--|----------------------------------|------------------------------------|---------------------------------|-------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> Zeller | <input type="checkbox"/> Bragdon | <input type="checkbox"/> Rieschick | <input type="checkbox"/> Loyd   | <input type="checkbox"/> Ramsdell   | <input type="checkbox"/> Gone |
| <input type="checkbox"/> Karstetter        | <input type="checkbox"/> Watson  | <input type="checkbox"/> Noble     | <input type="checkbox"/> Sander | <input type="checkbox"/> Gouldsmith |                               |

**Second:**  Zeller  Bragdon  Rieschick  Loyd  Ramsdell  Gone  
 Karstetter  Watson  Noble  Sander  Gouldsmith

Kansas State Board of Nursing

Motion Number: 39

Meeting: Board

Date: September 16, 2020

**Action:**  Amended  Adopted  Failed  Postponed  Tabled  Withdrawn

Subject to motion number 37 regarding delegation of Applications and motion number 37 regarding delegation of emergency proceedings, I move that the Board designate and delegate to the Investigative Committee its authority to:

(1) Conduct hearings, enter into settlements, and issue decisions regarding the assessment of fines pursuant to K.S.A. 74-1110 and amendments thereto, involving an allegation that a person who was granted a license, certificate of qualification or authorization to practice nursing has violated or not complied with the Kansas Nurse Practice Act and or regulations adopted thereunder;

(2) Make a reasonable grounds determination pursuant to K.S.A. 65-1120(b), and amendments thereto, of the Kansas Nurse Practice Act regarding persons who were granted a license, certificate of qualification or authorization to practice nursing and are being investigated or have been investigated for any alleged violation of or compliance with the Kansas Nurse Practice Act or regulations adopted thereunder; and

(3) Act as Presiding Officer pursuant to K.S.A. 2018 Supp. 77-514(g) and 77-551(a) and (c) and amendments thereto, of the Kansas Administrative Procedures Act, to review, decide and issue any orders on all matters that have been investigated for any alleged violation of or compliance with the Kansas Nurse Practice Act or regulations adopted thereunder; such delegation includes, but is not limited to:

- sending warning or reprimand letters;
- entering into settlement agreements;
- conducting reviews, proceedings and hearings;
- issuing prehearing orders;
- issuing initial orders that censure, revoke, limit, or suspend any license, certificate, or authorization to practice nursing under the Kansas Nurse Practice Act; and
- taking any other action related thereto

unless the Investigative Committee determines that the matter should be sent to the Office of Administrative Hearings for conducting further proceedings and issuing an initial order or considered and decided by the Board.

**Signature of Maker:**

Via Zoom

- |  |                                  |                                    |                                 |                                     |                               |
|--|----------------------------------|------------------------------------|---------------------------------|-------------------------------------|-------------------------------|
| <input checked="" type="checkbox"/> Zeller | <input type="checkbox"/> Bragdon | <input type="checkbox"/> Rieschick | <input type="checkbox"/> Loyd   | <input type="checkbox"/> Ramsdell   | <input type="checkbox"/> Gone |
| <input type="checkbox"/> Karstetter        | <input type="checkbox"/> Watson  | <input type="checkbox"/> Noble     | <input type="checkbox"/> Sander | <input type="checkbox"/> Gouldsmith |                               |

**Second:**

- |  |                                  |                                    |                                 |                                     |                               |
|--|----------------------------------|------------------------------------|---------------------------------|-------------------------------------|-------------------------------|
| <input type="checkbox"/> Zeller                | <input type="checkbox"/> Bragdon | <input type="checkbox"/> Rieschick | <input type="checkbox"/> Loyd   | <input type="checkbox"/> Ramsdell   | <input type="checkbox"/> Gone |
| <input checked="" type="checkbox"/> Karstetter | <input type="checkbox"/> Watson  | <input type="checkbox"/> Noble     | <input type="checkbox"/> Sander | <input type="checkbox"/> Gouldsmith |                               |