

**Kansas State Board of Nursing
Board Meeting Minutes
September 16, 2020**

Call to Order: The meeting was called to order by President P. Zeller at 9:15 a.m. via Zoom.

Board Present: Patricia Zeller, MSN, APRN, FNP
Rebecca Sander, MSN, RN
Julianna Rieschick, RN, MSN, NEA-BC
Carol Bragdon, PhD, APRN
Adri Gouldsmith, LPN
Mandy Karstetter, LPN
Gwendolyn Loyd, MBA, MSN, RN
Andrea Watson, RN, BSN, OCN, CCRP
Geovannie Gone, Public Member
Gita Noble, Public Member
Jade Ramsdell, BHS, COTA/L, Public Member

Staff Present: Carol Moreland, MSN, RN, Executive Administrator
Adrian Guerrero, Director of Operations
Linda Davies, BSN, RN, Practice Specialist
Janelle Martin, MHSA, RN, Nursing Education Compliance Officer
Jill Simons, Executive Assistant

Call to order: The Board meeting was called to order by Patricia Zeller, MSN, APRN, FNP, Chair, at 9:15 p.m. by Zoom virtual meeting

Announcement: P. Zeller stated because the Board Meeting is conducting this public meeting by Zoom virtual meeting, she stated for the record the following information:

On August 27, 2020, the Board sent notice to all individuals who have requested notice of the Board’s meetings. Additionally, the notice and agenda were posted on the Board’s website: **ksbn.kansas.gov** The notice contains the Zoom meeting information to allow the public to attend this meeting free of charge. The notice also advised individuals to contact the Board’s office at 785-296-5752 if the individual does not have access to a computer.

Review onsite packet: Executive Order #20-64 was added to the onsite packet.

Add/Revise Agenda: The following was added to the agenda.
1) Virtual Meeting Discussion for December 2020 Board/Committee meetings.
2) E.O. 20-64

3) Guideline for Nursing Programs regarding temporary changes due to unavailability of clinical sites.
 It was moved to approve the agenda as amended.
 Motion #1 Sander/Bragdon Adopted UYVV

Announcements:

C. Moreland introduced the six new Board members:
 Gwendolyn Loyd, MBA, MSN, RN
 Adri Gouldsmith, LPN
 Andrea Watson, RN, BSN, OCN, CCRP
 Gita Noble, Public Member
 Jade Ramsdell, BHS, COTA/L, Public Member
 Geovannie Gone, Public Member.

Consent Item Agenda

Minutes:

The minutes from the June 17, 2020 board meeting were reviewed. It was moved to approve the minutes from the June 17, 2020 Kansas State Board of Nursing meeting as amended.
 Motion #2 Karstetter/Sander Adopted UYVV.

The minutes from the July 10, 2020 board meeting were reviewed. It was moved to approve the minutes from the July 10, 2020 Kansa State Board of Nursing meeting as written.
 Motion #3 Bragdon/Ramsdell Adopted UYVV

Executive Session:

Pursuant to subsection (b)(2) of K.S.A. 75-4319, I move that the Board recess into executive session for 20 minutes and reconvene the open meeting at 9:50 a.m. by Zoom and YouTube as stated in the notice of the meeting that was sent to individuals who requested the notice and is published on the Board’s website at www.ksbn.kansas.gov.

The subject to be discussed in the executive session concerns EO #20-64. The justification is consultation with the Board’s legal counsel, Assistant Attorney General Janet Arndt, that would be deemed privileged in the attorney-client relationship. The Board’s executive administrator, Carol Moreland, is included as the client. Motion #4 Rieschick/Karstetter Adopted UYVV

Open Session:

9:50 a.m.

It was moved to extend the renewal deadline for all licenses issued by the Board to October 15, 2020 pursuant to Executive Order #20-64.
 Motion #5 Karstetter/Loyd Adopted UYVV

It was moved to delegate to Patsy Zeller the authority of the Board to extend other deadlines for all the licenses issued by the Board pursuant

to any further extensions by an Executive Orders of the Governor.
Motion #6 Bragdon/Rieschick Adopted UYVV.

Exec. Admin. Report: C. Moreland reported to the Board. (See Report) It was consensus of the Board to accept the report.

Staff Report: J. Martin reported to the Board. (See Report) It was consensus of the Board to accept the report.

L. Davies reported to the Board. (See Report) It was consensus of the Board to accept the report.

A. Guerrero reported to the Board. (See Report). Adrian introduced Megan Hughes as a new KSBN Staff. It was consensus of the Board to accept the report.

Break: 11:15 a.m.

Open Session: 11:30 a.m.

Committee Reports

President Zeller to Vice-President Bragdon

Educ. Comm. Report: P. Zeller, chairperson gave the Education Committee report. (See committee report) The Education Committee report was accepted by consensus of the Board.

It was moved to accept the site visit report with recommendations for Salina Area Technical College PN Program and grant approval for five years, with the next site visit to occur in the Spring of 2025. Motion #7 Zeller/Sander Adopted. UYVV.

It was moved to accept the site visit report with recommendations for Donnelly College PN Program and grant re-approval for five years, with the next site visit to occur in the Spring of 2025. Motion #8 Zeller/Karstetter Adopted UYVV.

It was moved to accept the site visit report with recommendations for Donnelly College ADN Program, which will allow the program to begin admitting students again, remain on conditional approval, and will schedule a follow up site visit after the next graduating class. Motion #9 Zeller/Loyd Adopted UYVV.

It was moved to accept the Major Curriculum Change Request from Coffeyville Community College to adopt the IV Therapy content

included in the KSPN Core Curriculum for the 2020-2021 academic year. Motion #10 Zeller/Loyd Adopted UYVV.

It was moved to accept the Major Curriculum Change Request from Johnson County Community College PN Program to include IV Therapy in the Practical Nursing Program to begin January 2021. Motion #11 Zeller/Rieschick Adopted UYVV.

It was moved to reapprove the PN Programs on Full Approval Status through December 2021. Motion #12 Zeller/Watson Adopted UYVV.

It was moved to reapprove the ADN Programs on Full Approval Status through December 2021. Motion #13 Zeller/Karstetter Adopted UYVV.

It was moved to reapprove the BSN Programs on Full Approval Status through December 2021. Motion #14 Zeller/Rieschick Adopted UYVV.

It was moved to reapprove the three ADN programs (Colby Community College, Donnelly College and Pratt Community College) and one BSN program (Kansas Wesleyan University) on Conditional Approval Status through December 2021. Motion #15 Zeller/Loyd Adopted UYVV.

It was moved to accept the IV Therapy Task Force Recommendations for PN Programs. Motion #16 Zeller/Watson Adopted UYVV.

It was moved to approve the updated site visit guidelines that include new guidance on virtual site visits for nursing programs, adding that determinations for the methods of the site visit are up to the discretion of the Education Compliance Officer, the KSBN Executive Officer, Program Administrator and team members, pertinent to immediate concerns at the time of the visit. Motion #17 Zeller/Gone Adopted UYVV.

It was moved to approve the Petition for Permission to Test/Retest Summary from May 9, 2020 through August 14, 2020, which includes:
Gertrude Amissah Kylie Engle Yvonne Kanyeria
Martha Kamuri Price Tina (Asper) Reeves Bailey Weiler
Derek Wilson
Motion #18 Zeller/Loyd Adopted UYVV.

Vice-President Bragdon to President Zeller

Investigative Report:

R. Sander, chairperson gave the Investigative Committee report. (See committee report) The Investigative Committee report was accepted by consensus of the Board.

It was moved to approve the Retention policy of Investigative Files. Motion #19 Sander/Loyd Adopted UYVV.

It was moved to approve K.S.A. 65-1129 as written. Motion #20 Sander/Bragdon Adopted UYVV.

It was moved to approve K.S.A. 65-1135 as written. Motion #21 Sander/Rieschick Adopted UYVV.

CNE Report:

J. Rieschick, chairperson gave the CNE Committee report. (See committee report) The CNE Committee report was accepted by consensus of the Board.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Advent Health – Ottawa, LT0055-0905. Motion #22 Rieschick/Ramsdell Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Blue Valley School District, LT0174-0262. Motion #23 Rieschick/Loyd Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Ellsworth County Medical Center, LT0266-1010, with a reminder to include evaluations for individual instructors. Motion #24 Rieschick/Bragdon Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Olathe Public School Health Service, LT0242-0950, upon receipt of the Program Coordinator's CV. Motion #25 Rieschick/Loyd Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Susan B. Allen Memorial Hospital, LT0074-0349, upon receipt of additional required documents. Motion #26 Rieschick/Sander Adopted UYVV.

It was moved to approve the Long-Term Provider Initial Application for Dusenbury Health Associates, LLC, with a reminder that all offerings require an evaluation. Motion #27 Rieschick/Sander Adopted UYVV.

APRN Report: C. Bragdon, chairperson gave the APRN Committee report. (See Committee Report) The APRN Committee Report was accepted by consensus of the Board.

It was moved to allow Board Staff to license applicants from out of state programs that meet the national accreditation standards and to report back to the APRN Committee at the next APRN Committee meeting. Motion #28 Bragdon/Gone Adopted UYVV.

It was moved to approve the following out of state schools and their below noted programs as meeting the board’s criteria:

- a. North Park University – Adult NP
- b. Otterbein University – Family NP
- c. United States University – Family NP

Motion #29 Bragdon/Rieschick Adopted UYVV.

Practice/IV Therapy Report: M. Karstetter, chairperson gave the Practice/IV Therapy Committee report. (See Committee Report) The Practice/IV Therapy Committee Report was accepted by consensus of the Board.

It was moved to approve K.A.R. 60-3-101 as written. Motion #30 Karstetter/Watson Adopted UYVV.

It was moved to approve K.A.R. 60-7-101 as written. Motion #31 Karstetter/Rieschick Adopted UYVV.

Finance Report: C. Bragdon, chairperson gave the Finance Committee report. (See Committee Report) The Finance Committee Report was accepted by consensus of the Board.

Unfinished Business:

Strategic Plan: C. Moreland gave an update on the Strategic Plan July 2019 – It was moved to approve the July 2019 – June 2022 Strategic Plan as proposed. Motion #32 Bragdon/Karstetter Adopted UYVV.

New Business:

Workforce Data: A. Guerrero gave an update on the workforce survey. The Board used to track this information many years ago, but the data wasn’t very usable. In the past few years, we have been approached more and more to gather this data and being able to compare with the National Council of State Boards of Nursing (NCSBN). The NCSBN has created a workforce survey to fill this need. As part of the Nurse License Compact, we were funded to add this to our system, in such this was added to our licensing system at the time of renewal.

Review Mission Statement: The mission of the Kansas State Board of Nursing is to assure the citizens of Kansas safe and competent practice by nurses and mental health technicians.

It was consensus of the Board to make no changes to the mission statement.

Delegate Assembly: C. Moreland, P. Zeller, C. Bragdon and A. Guerrero attended the Virtual Delegate Assembly on August 12, 2020.

Agency Head/Presiding Officer:

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 Bragdon 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.
Motion #33 Zeller/Gone. Adopted UYVV.

I move that, should Carol Bragdon be unable to serve as agency head, the Board designate Patsy Zeller to serve as an alternate agency head and, in such circumstances, the Board delegate to the Board President 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.
Motion #34 Rieschick/Watson. Adopted UYVV.

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. Supp. 2016 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. 2016 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; ands. I further move that if the President be unavailable to act as described above, the Vice President of the Board is so designated ad delegated to act as described above.

Motion #35 Karstetter/Rieschick. Adopted UYVV.

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.

Motion #36 Sander/Watson. Adopted UYVV.

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, 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; and

Motion #37 Rieschick/Karstetter. Adopted UYVV.

Subject to motion number 37 regarding delegation to the Chair of the Investigative 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.

Motion #38 Zeller/Sander. Adopted UYVV.

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.

Motion #39 Zeller/Karstetter. Adopted UYVV.

Election of Officers: It was the consensus of the Board that if you are not re-elected you will continue in your position until today’s meeting is adjourned and new officers elected at today’s meeting will assume their roles as of the December 2020 board meeting.

President: Mandy Karstetter nominated Patricia Zeller for president. Nominations cease. It was moved to elect Patricia Zeller as President. Motion #40 Karstetter/Bragdon UYVV Zeller abstained.

Vice President: Carol Bragdon nominated Rebecca Sander for vice president. Nominations cease. It was moved to elect Rebecca Sander as Vice President. Motion #41 Bragdon/Zeller UYVV Sander abstained.

Secretary: Carol Bragdon nominated Julianna Rieschick for secretary. Nominations cease. It was moved to elect Julianna Rieschick as Secretary. Motion #42 Bragdon/Karstetter UYVV Rieschick abstained.

December 2020 Meetings: It was a consensus of the Board to hold the December 2020 Board/Committee meetings by virtual meetings. All meetings will be held by Zoom meeting except for the Finance Committee which will be conducted by conference call.

Clinical Site Guidance’s: It was the consensus of the Board that Nursing Programs notify any temporary changes if clinical sites become unavailable in writing to Janelle Martin, Nursing Education Compliance Officer.

Adjourn: It was moved to adjourned. Motion #43 Karstetter/Rieschick Adopted UYVV.

Patricia Zeller, Board President

Date

Julianna Rieschick, Secretary

Date

Carol Moreland, Executive Administrator

Date