

**Kansas State Board of Nursing
Board Meeting Minutes
September 15, 2021**

- Time:** 9:15 a.m. – 12:56 p.m.
- Call to Order:** The meeting was called to order by President P. Zeller at 9:17 a.m. via Zoom.
- Board Present:** Patricia Zeller, MSN, APRN, FNP, President
Rebecca Sander, MSN, RN, Vice-President
Julianna Rieschick, RN, MSN, NEA-BC, Secretary
Adri Gouldsmith, LPN
Gwendolyn Loyd, MBA, MSN, RN
Andrea Watson, RN, BSN, OCN, CCRP
Melissa Oropeza, DNP, APRN-BC, CGRN
Lori Owen, LPN
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
Chelsey Stephenson, Education specialist, C.N.E.
Jill Simons, Executive Assistant
- Call to order:** The Board meeting was called to order by Patricia Zeller, MSN, APRN, FNP, Board President, at 9:15 a.m. by Zoom virtual meeting.

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 28, 2021, the Board sent notice of the meeting for the Board 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 internet links to access the meeting by Zoom and YouTube; the notice also contains the Zoom telephone number to attend this meeting by telephone call. Each of these electronic mediums allow the public to attend this meeting free of charge. The notice also advised individuals to contact the Board’s office at 785-296-2967 if they experience any technical issues during the meeting.

Announcement: Melissa Oropeza and Lori Owen were introduced as new Board Members.

Review onsite packet: There was one item added to the onsite packet.

Add/Revise Agenda: CE Broker was added to the agenda under new business and there will be a representative from CE Broker that will give a presentation to the Board at 10:30 a.m. Items 5 and 6 under new business will be switched. It was moved to approve the agenda as amended. Motion #1 Sander/Rieschick Adopted UYVV.

Consent Item Agenda

Minutes: The minutes from the June 16, 2021 board meeting were reviewed. It was moved to approve the minutes from the June 16, 2021 board meeting as written. Motion #2 Loyd/Gone 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: C. Stephenson reported to the Board. (See Report) It was consensus of the Board to accept the report.

J. Martin reported to the Board. (See Report). Janelle introduced Michelle Brown as the new Education Secretary. 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.

CE Broker: Don Oliva with CE Broker gave a presentation.

Break: 11:00 a.m.

Open Session: 11:15 a.m.

CE Broker Cont'd: A consensus of the Board is to pursue CE Broker and to have staff do research of what would be required to have the Board of Nursing join CE Broker and report back to the Board in December their findings.

Staff Report Cont'd: A. Guerrero reported to the Board. (See Report) It was consensus of the Board to accept the report.

Committee Reports

President Zeller to Vice-President Sander

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 approve the Major Curriculum Change Request for Barton Community College, ADN Program to establish a satellite site in Pratt on the campus of Pratt Community College, to admit 30 additional students. Motion #3 Zeller/Rieschick Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Johnson County Community College, ADN Program to change the nursing content to a lifespan model of delivery & to modify credit hours by increasing 1 hour for semester 1 & 2, decreasing 1 hour for semester 3 & 4, resulting in all nursing courses being 9 credit hours, except for the Health Assessment course. Motion #4 Zeller/Loyd Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Pratt Community College, PN Program, to include IV Therapy into the PN Program, beginning January 2022. Motion #5 Zeller/Watson Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Pratt Community College, PN Program, to add a hybrid delivery method to the PN Program beginning Fall 2022. Motion #6 Zeller/Oropeza Adopted UYVV.

It was moved to reapprove the PN Programs on Full Approval Status through December 2022. Motion #7 Zeller/Gone Adopted UYVV.

It was moved to reapprove the ADN Programs on Full Approval Status through December 2022. Motion #8 Zeller/Ramsdell Adopted UYVV.

It was moved to reapprove the BSN Programs on Full Approval Status through December 2022. Motion #9 Zeller/Loyd Adopted UYVV.

It was moved to reapprove the four ADN Programs (Colby Community College, Donnelly College, Fort Scott Community College and Seward County Community College) on Conditional Approval Status through December 2022. Motion #10 Zeller/Loyd Adopted UYVV.

It was moved to approve the Petition for Permission to Test/Retest Summary from May 15, 2021 through August 30, 2021 which includes:

Ricaela Hernandez	Stephanie Bugarinovic	Karissa Aldrich
Sherry Williams	Jannette Lima Nazario	Helen Aguilar

Motion #11 Zeller/Noble Adopted UYVV.

Vice-President Sander 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.

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

It was moved to withdraw the approved status from the following delinquent CNE Long-Term Providers: Atkins Physical Therapy & Ergonomics, Bailey Medical Services, Clay County Medical Center, Kansas Department of Health & Environment, Parsons State Hospital & Training Center and Perinatal Resource. Motion #12 Rieschick/Loyd Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Cloud County Health Center, LT0273-0911. Motion #13 Rieschick/Gouldsmith Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal for Coffeyville Regional Medical Center LT0099-0316, pending the submission of an updated roster. Motion #14 Rieschick/Owen Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for EagleMed, LLC LT0208-0916. Motion #15 Rieschick/Oropeza Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for GERTI, LT0249-0916. Motion #16 Rieschick/Loyd Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for KC Hospice and Palliative Care LT0118-0916. Motion #17 Rieschick/Sander Adopted UYVV.

It was moved to approve the Long-Term Provider 5 Year Renewal Application for Newton Medical Center LT0209-0916. Motion #18 Rieschick/Gone Adopted UYVV.

It was moved to approve the Long-Term Provider 5-Year Renewal Application for ValueHealth, LT0276-0911. Motion #19 Rieschick/Sander Adopted UYVV.

It was moved to approve the Initial application for CE That Matters. Motion #20 Rieschick/Gouldsmith Adopted UYVV.

President Zeller to Vice-President Sander

APRN Report: P. Zeller, vice-chairperson gave the APRN Committee report. (See Committee Report) The APRN Committee Report was accepted by consensus of the Board.

Vice-President Sander to President Zeller

Practice Report: R. Sander, chairperson gave the Practice Committee report. (See Committee Report) The Practice Committee Report was accepted by consensus of the Board.

It was moved to approve K.A.R. 60-7-103 to reflect the changes submitted. Motion #21 Sander/Gouldsmith Adopted UYVV.

President Zeller to Vice-President Sander

Finance Report: P. Zeller, vice-chairperson gave the Finance Committee report. (See Committee Report) The Finance Committee Report was accepted by consensus of the Board.

Vice-President Sander to President Zeller

Unfinished Business:

Draft Statute Revisions: It was the consensus of the Board to table the draft statute revisions listed below to the December 2021 Board meeting:

- a. K.S.A. 65-1120
- b. K.S.A. 65-1120a
- c. K.S.A. 65-1121a
- d. K.S.A. 65-1129
- e. K.S.A. 74-1110
- f. Impaired Provider Statute

Draft Regulation Revision: It was the consensus of the Board to table the draft regulation revision for K.A.R. 60-3-110 to the December 2021 Board meeting.

Draft Strategic Plan: C. Moreland gave a update on the Strategic Plan and presented to the Board the July 2019 through June 2022 Strategic Plan. It was the consensus of the Board to accept the July 2019 through June 2022 Strategic Plan from Arthur L. Davis Publishing Agency, Inc.

New Business:

Review Mission Statement: The mission of the Kansas State Board of Nursing was reviewed by the Board.

It was moved to make no changes to the Kansas State Board of Nursing mission statement. Current mission statement reads “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.” is to assure the citizens of Kansas safe and competent practice by nurses and mental health technicians. Motion #22 Rieschick/Loyd Adopted UYVV.

Delegate Assembly: C. Moreland, P. Zeller, and A. Guerrero attended the NCSBN Delegate Assembly. The meeting was held virtually from August 18-19, 2021.

Dec 2021 Board/Comm: A consensus was made to hold the December 2021 Board/Committee meetings virtually.

A further decision will be made during the December 2021 Board to discuss further meetings.

Draft Revisions: It was moved to approve the temporary and permanent revisions for K.A.R. 60-3-101 and K.A.R. 60-11-103 as written. Motion #23 Gouldsmith/Rieschick 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 2021 board meeting.

President: Adri Gouldsmith nominated Julianna Rieschick for president. Nominations cease. It was moved to elect Julianna Rieschick as President. Motion #24 Gone/Loyd Adopted UYVV Rieschick abstained.

Vice President: Julianna Rieschick nominated Rebecca Sander for vice president. Nominations cease. It was moved to elect Rebecca

Sander as Vice President. Motion #25 Ramsdell/Gouldsmith Adopted UYVV Sander abstained.

Secretary: Adri Gouldsmith nominated Jade Ramsdell for secretary and Julianna Rieschick nominated Adri Gouldsmith. Nominations cease. It was moved to elect Jade Ramsdell as Secretary. Roll call vote for Jade Ramsdell (4 Yea) (4 No). Motion #26 Noble/Loyd Failed Loyd, Owen and Ramsdell abstained. It was moved to elect Adri Gouldsmith as Secretary. Roll call vote for Adri Gouldsmith (5 Yea) (3 No). Motion #27 Rieschick/Gone Adopted UYVV Goldsmith, Loyd and Owen abstained.

Agency Head/Presiding Officer:

I move that, pursuant to K.S.A. 77-527 of the Kansas Administrative Procedure Act, the Board designate and delegate to Julianna Rieschick 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 #28 Zeller/Gouldsmith Adopted UYVV Rieschick abstained.

I move that, should Julianna Rieschick be unable to serve as agency head, the Board designate Andrea Watson to serve as an alternate agency head and, in such circumstances, the Board delegate Andrea Watson its authority pursuant to K.S.A. 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 #29 Rieschick/Zeller Adopted UYVV Watson abstained.

I move that the Board designate and delegate to the Chair of the Investigative Committee 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. 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. 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 Chair of the Investigative Committee determines the emergency

proceeding should be conducted and decided by the Investigative Committee.

Motion #30 Rieschick/Watson. Adopted UYVV.

Subject to motion number 30 regarding delegation to the Chair of the Investigative Committee, I move that if the Chair of the Investigative Committee is not available to act as described in motion number 30, the Vice Chair of the Investigative Committee is so designated and delegated to act as described in motion number 30.

Motion #31 Sander/Oropeza 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, 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. 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.

Motion #32 Rieschick/Gone Adopted UYVV.

Subject to motion number 32 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 32.

Motion #33 Rieschick/Sander Adopted UYVV.

Subject to motion number 32 regarding delegation of Applications and motion number 32 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 #34 Sander/Gouldsmith Adopted UYVV.

I move that, should a Board member serving on the Investigative Committee be unable to serve as a presiding officer in a matter pending before the Investigative Committee, Patsy Zeller is designated and delegated as an alternate presiding officer of the Investigative Committee in that pending matter. Motion #35 Rieschick/Sander Adopted UYVV Zeller abstained.

Agenda for December 2021 Board:

- 1) K.S.A. 65-1120
- 2) K.S.A. 65-1120a
- 3) K.S.A. 65-1121a
- 4) K.S.A. 65-1129
- 5) K.S.A. 74-1110
- 6) Impaired Provider Statute
- 7) K.A.R. 60-3-101
- 8) CE Broker

Adjourn: The Board meeting was adjourned at 12:56 p.m.

Patricia Zeller, Board President

Date

Julianna Rieschick, Secretary

Date

Carol Moreland, Executive Administrator

Date