

Agency Mission: To assure the citizens of Kansas safe and competent practice by nurses and mental health technicians.

**Kansas State Board of Nursing
Landon State Office Building, Room 1051
Practice Committee Agenda
December 13, 2022**

NOTE: The audience may attend in person or via Zoom. Link to access meeting to follow agenda.

Time: 3:00 p.m. – 4:00 p.m.

Committee Members: Melissa Oropeza, DNP, APRN-BC, CGRN, Chair
Adri Gouldsmith, LPN, Vice Chair
Lori Owen, LPN
Michaela Hysten, RN
Jeanne Gerstenkorn, MSN, RN
Sharon Morris, MSN, RN
Zui Holloman, RN
Amy Renn, MSN, RN
Tawny Sandifer, MSN, RN, NEA-BC

Staff: Linda Davies, BSN, RN, Practice Specialist
Hana Dajani, Administrative Specialist

- I. Call to Order
- II. Review onsite packet
- III. Additions/Revisions to Agenda
- IV. Announcements
- V. Approval of minutes – September 13, 2022
- VI. Unfinished Business
 - 1. Five Year Legislative Review
 - a. K.A.R. 60-7-105 – LMHT Standards of Practice
 - 2. RN LPN Scope of Practice – Components of Nursing Comparison Chart
- VII. New Business
 - 1. Practice Questions
 - a. Delegation of Tasks
 - b. Practice Calls Report
- VIII. Agenda for March 2023 Committee meeting
- IX. Adjournment

Please Note: Additional items, which have come to the attention of the Board, will be handled as time permits. Agenda is subject to change based upon items to come before the Board. Handouts or copies of materials brought to the board or committees for discussion by committee members or visitors must be submitted to staff 30 calendar days prior to start of the meeting. Any items received after the 30th calendar day may be addressed at the meeting at the discretion of the President of the Board or chairperson of the committee.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87238724664?pwd=cFNpL0hmR1BkbHhUTWNaMkdsSnpDdz09>

Passcode: KsbnPCComm

Or One tap mobile :

US: +12532050468,,87238724664#,,, *0385407048# or +12532158782,,87238724664#,,, *0385407048#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 6833 or +1 719 359 4580 or +1 646 876 9923 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000

Webinar ID: 872 3872 4664

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60-7-105. Standards of practice.

- (a) The licensed mental health technician shall:
- (1) Be familiar with the mental health technician's licensure act.
 - (2) Function primarily in a psychiatric ~~mental retardation setting, and shall not substitute for registered nurses or licensed practical nurses in adult care facility~~ies that provides services in caring for and treatment of the mentally ill, emotionally disturbed, or people with intellectual disability.

History: (Authorized by K.S.A. 65-4201 et seq., K.S.A. 1974 Supp. 74-1106 et seq.; modified, L. 1975, Ch. 302, Sec. 10, May 1, 1975.)

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- (3) Not substitute for registered nurses or licensed practical nurses.

History: (Authorized by K.S.A. 65-4201 et seq., K.S.A. 1974 Supp. 74-1106 et seq.; modified, L. 1975, Ch. 302, Sec. 10, May 1, 1975.)



Kansas Board of Nursing

Practice Call Data

August, September, October
2022

Practice Call Data 2022						
	August		September		October	
	Calls	E-mails	Calls	E-mails	Calls	E-mails
ARPN	21		8		26	
RN	33		17		22	
LPN	3		2		3	
Other (Facilities, Physicians, etc.)	27	7	24	7	32	9
Total	84	7	51	7	83	9

Total by Month	
Month	Total Practice Calls and E-mails
August	91
September	58
October	92

Total by Method for All Three Months	
Method	Total
Phone Calls	218
E-Mails	23

Topics of Practice Calls:

ARPN: Prescriptive authority (including controlled substances, methadone); starting a practice (med spas, IV hydration, Botox); age ranges APRN's can see with different classifications of NP; malpractice insurance; delegation to unlicensed staff; collaborative agreements (including telehealth); DNR's and pronouncing a death; scope of practice for medical assistance.

CRNA: Lumbar punctures.

RN: Scope of practice; Botox parties; nail/foot care in facilities and home care; independent practice (dermaplaning, eyelash lists, eyebrow tinting); LLCs; school nurses calling about Naloxone administration.

LPN: Owning a clinic for doing fillers and Botox/esthetics clinics; scope of practice; able to administer heparin SQ; IV therapy (medications and central lines); can LPNs supervise RNs?

Other: Scope of practice; telehealth supervision; writing orders.

General response to all practice inquiries:

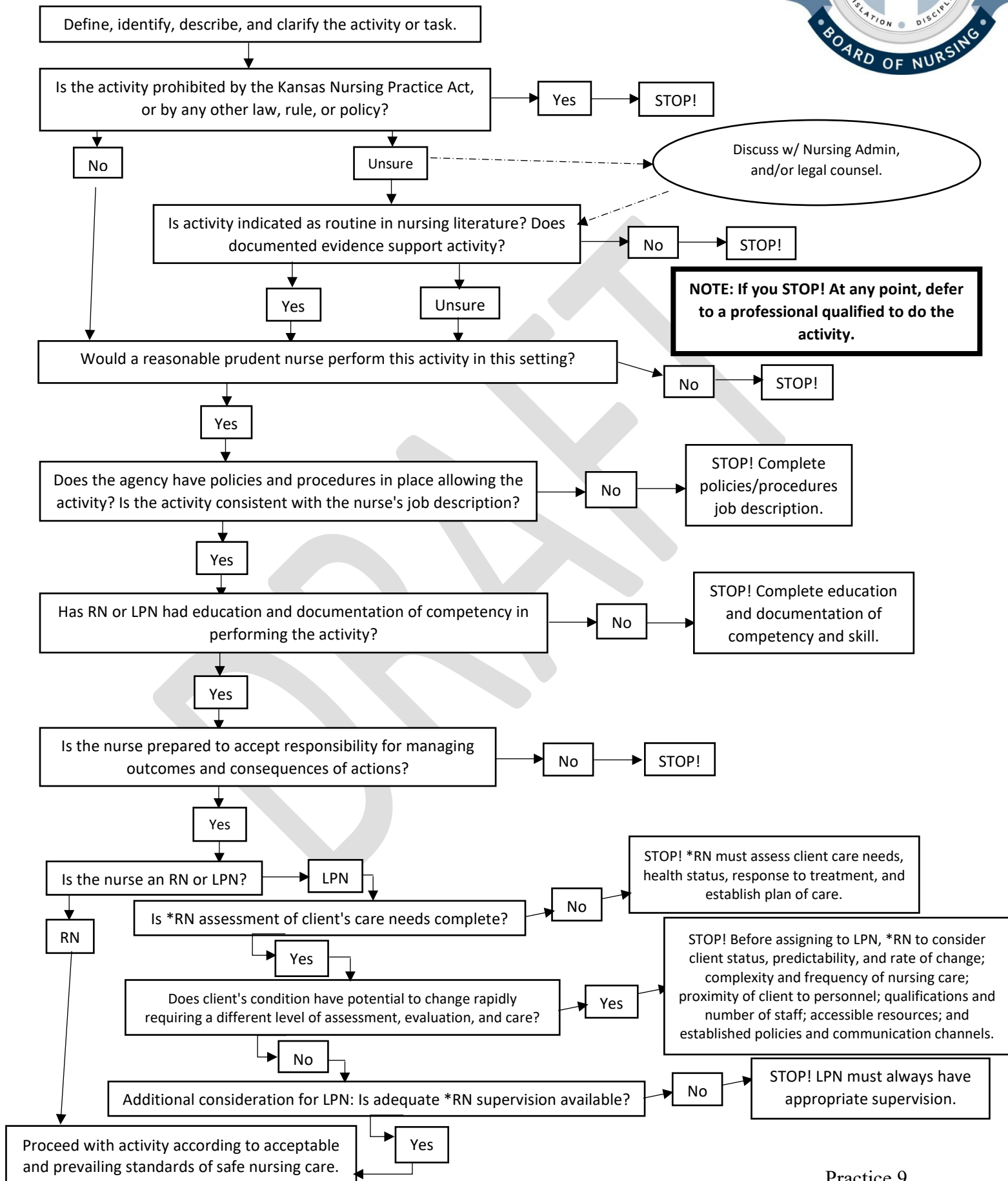
The Kansas State Board of Nursing (“KSBN”) staff cannot and does not provide legal advice to members of the public. KSBN staff may provide assistance to the public by providing reference to the Kansas Nurse Practice Act. The Kansas Nurse Practice Act is available at <https://ksbn.kansas.gov/npa/>. This assistance should never be taken as legal advice, or as a complete reference to all relevant laws or regulations governing a particular situation. Any response given by KSBN staff is not binding on the Board and should not be taken as an official KSBN decision. If you believe you need legal advice, you should consult, at your own expense, a licensed attorney.

Please see the following description of the process to investigate allegations of unprofessional conduct: <https://ksbn.kansas.gov/investigative-process/>

Talking Points:

1. Refer to the KNPA for the relevant statute and regulations regarding license
2. Provide access to the KNPA <https://ksbn.kansas.gov/npa>
3. Provide access to the Investigative Process <https://ksbn.kansas.gov/investigative-process/>
4. Refer to any relevant statute and regulations as it pertains to your practice in a facility, reimbursement guidelines, etc.
5. APRN – refer to the KSBN website <https://ksbn.kansas.gov/> for the Executive Administrator Update regarding Senate Substitute for House Bill 2279

SCOPE OF PRACTICE DECISION TREE FOR THE RN AND LPN





SCOPE OF PRACTICE DECISION TREE FOR THE RN AND LPN

RN and LPN scopes of practice is defined by the Kansas Nursing Practice Act (Law) <https://ksbn.kansas.gov/npa/>.

Because the roles and responsibilities of nurses are influenced by the healthcare system, which is ever-changing and increasing in complexity, it is important that the nurse makes valid, reliable decisions regarding his/her own scope of practice. This tool is intended to provide direction in that decision making process. These questions offer additional guidance for the nurse's consideration.

- I. Define the Activity/Task
 - a. Describe, clarify the problem/need.
 - b. Does it require a healthcare provider's order?
 - c. Is the activity an independent RN action?
 - d. Does the task require an RN or other practitioner's direction?
 - e. What is the clinical environment in which the task will be completed?
 - f. What will be needed to safely complete the activity?
 - g. Who should be involved in the decision?
- II. Legality
 - a. Could the nurse perform the activity or task and meet the standards of safe nursing practice as defined by the Kansas Nurse Practice Act?
 - b. Is the task prohibited by nursing law or rules, or precluded by any other law or rule (e.g., Pharmacy Practice Act, Medical Practice Act, ADA, HIPAA, etc.?)
 - c. Does the facility have a policy in place including the RN and/or LPN as appropriate to complete the activity?
 - d. Is the activity consistent with pre-licensure, post basic or approved continuing education?
 - e. Is there evidence to support that the activity is within acceptable and prevailing standards of safe nursing care (i.e., national nursing organization/association standards, nursing literature/research, agency accreditation standards, and/or community standard)?
- III. Competency
 - a. Is there documentation the nurse has completed appropriate education to perform the activity?
 - b. Is there documentation the nurse has demonstrated appropriate knowledge, skill, and ability to complete the activity?
- IV. Safety
 - a. Is the activity safe and appropriate to perform with this patient/client at this time?
 - b. Is the activity safe and appropriate to perform only in specific environment where necessary assistive equipment and personnel will be available in case of an unexpected response to assure patient safety and quality of care?
 - c. What is the potential outcome for patient if you do or do not perform procedure?
- V. Accountability
 - a. Is the nurse willing to be accountable for the activity?
 - b. Is the nurse prepared to accept the consequences of activity?
 - c. Would a reasonable or prudent nurse complete the activity?
- VI. Additional considerations for LPN
 - a. Will adequate RN supervision be available?
 - b. Does activity have potential to significantly change the medical status of patient/client, resulting in the need to provide assessment and care requiring a different level of professional licensure?