

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
March 21, 2023**

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, MSN, BSN, 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 – December 13, 2022
- VI. Unfinished Business
 - 1. RN LPN Scope of Practice – Components of Nursing Comparison Chart
- VII. New Business
 - 1. Practice Calls
 - 2. Five Year Legislative Review
 - a. K.A.R. 60-3-109a – Standards of practice
 - b. K.A.R. 60-16-102 – Scope of practice
 - c. K.S.A. 65-4201 – Citation of act
 - d. K.A.R. 60-7-109 – Exempt License
 - e. K.A.R. 60-7-110 – Expiration dates of licenses/applications
 - f. K.A.R. 60-7-111 – Reporting certain misd. convictions
- VIII. Agenda for June 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/87064221323?pwd=MU02cm12K3NueEJXWTU2VUxrYUcrQT09>

Passcode: KsbnPCComm

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Kansas Board of Nursing

Practice Call Data

November, December, January
2022-2023

Practice Call Data						
	November		December		January	
	Calls	E-mails	Calls	E-mails	Calls	E-mails
ARPN	19		11		20	
RN	10		14		17	
LPN	2		5		5	
Other (Facilities, Physicians, etc.)	18	6	23	8	14	12
Total	49	6	53	8	56	12

Total by Month	
Month	Total Practice Calls and E-mails
November	55
December	61
January	68

Total by Method for All Three Months	
Method	Total
Phone Calls	158
E-Mails	26

Topics of Practice Calls:

ARPN: Starting a business; cosmetology businesses; starting IV hydration clinics; medical spas; LLC questions; collaborative agreements (and if a facility can require them); malpractice insurance; qualifications for working in a mental health facility; who can be a medical director for aesthetic clinics; time requirements for completing documentation; prescriptive authority; prescribing methadone; seeing patients in Missouri with a KS license; certification issue; how to sign name; dermaplaning; DNR; preceptors; DEA numbers; concussion protocol; telehealth; can a DNP call themselves a doctor; can an RN work under an APRN?

CRNA: Lumbar punctures; prescribing medication.

RN: Taking home COVID boosters to give to family members (including children); working on expired license; accuracy of measuring medication left in vials; starting a laser business to remove tattoos; CEU requirements, CNE hours; computer issues with renewing online; staffing ratios; medical spas; starting a home health business; home health for a child; starting own

business; starting a business to cut nails in a nursing home; sedation on patients; scope of practice; Botox clinics and using Botox under a physician; multi-state requirements; is it okay to refuse to perform a procedure due to religious beliefs; charting complaints; wanting to refuse a UDS.

School Nurses: Can school nurses administer/read TB skin tests; school physical forms; using Narcan.

LPN: IV therapy rules, IV drug classifications, becoming IV certified; scope of practice; working as a CMA; scope of practice; licensing questions; medical spas; Botox; telehealth.

Other: Facilities asking about collaborative agreements; can nursing students work and be paid; family member concerned about care in a facility; facility asking about procedures that can be done by LPNs, RNs, and APRNs; RN/LPN supervision; health instructors and e-scripts; complaint on an APRN; DON and ADON sisters-family member complaint; can you get a license with a felony; nurse accidentally taking home a vial of fentanyl; possibly impaired nursing student; mom with disabled child traveling with a nurse; compounding and transporting medications; lab companies asking about prescriptive authority for APRNs; asking for the address of a licensee for child support; family member calling regarding a complaint against a nurse; attorney for medical spas; risk managers and HIPAA.

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Agency 60

State Board of Nursing

Article 3.—Requirements for Licensure and Standards of Practice

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60-3-109a. Standards of practice. (a) Each registered professional nurse shall be familiar with the Kansas nurse practice act, the standards of practice of the profession and the code of ethics for professional nurses.

(b) Each licensed practical nurse shall be familiar with the Kansas nurse practice act, the standards of practice and the code of ethics for practical nurses. (Authorized by K.S.A. 65-1113; implementing K.S.A. 74-1106; effective May 1, 1985.)

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Agency 60
State Board of Nursing

Article 16.—Intravenous Fluid Therapy for Licensed Practical Nurse

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60-16-102. Scope of practice for licensed practical nurse performing intravenous fluid therapy. (a) A licensed practical nurse under the supervision of a registered professional nurse may engage in a limited scope of intravenous fluid treatment, including the following:

- (1) Monitoring;
- (2) maintaining basic fluids;
- (3) discontinuing intravenous flow and an intravenous access device not exceeding three inches in length in peripheral sites only; and
- (4) changing dressings for intravenous access devices not exceeding three inches in length in peripheral sites only.

(b) Any licensed practical nurse who has met one of the requirements under K.S.A. 65-1136, and amendments thereto, may perform, in addition to the functions specified in subsection (a) of this regulation, the following procedures relating to the expanded administration of intravenous fluid therapy under the supervision of a registered professional nurse:

- (1) Calculating;
- (2) adding parenteral solutions to existing patent central and peripheral intravenous access devices or administration sets;
- (3) changing administration sets;
- (4) inserting intravenous access devices that meet these conditions:
 - (A) Do not exceed three inches in length; and
 - (B) are located in peripheral sites only;
- (5) adding designated premixed medications to existing patent central and peripheral intravenous access devices or administration sets either by continuous or intermittent methods;
- (6) maintaining the patency of central and peripheral intravenous access devices and administration sets with medications or solutions as allowed by policy of the facility;
- (7) changing dressings for central venous access devices;
- (8) administering continuous intravenous drip analgesics and antibiotics; and
- (9) performing the following procedures in any facility having continuous on-site registered professional nurse supervision:
 - (A) Admixing intravenous medications; and
 - (B) administering by direct intravenous push any drug in a drug category that is not specifically listed as a banned drug category in subsection (c), including analgesics, antibiotics, antiemetics, diuretics, and corticosteroids, as allowed by policy of the facility.

(c) A licensed practical nurse shall not perform any of the following:

- (1) Administer any of the following by intravenous route:
 - (A) Blood and blood products, including albumin;
 - (B) investigational medications;
 - (C) anesthetics, antianxiety agents, biological therapy, serums, hemostatics, immunosuppressants, muscle relaxants, human plasma fractions, oxytocics, sedatives, tocolytics, thrombolytics, anticonvulsants, cardiovascular preparations, antineoplastics agents, hematopoietics, autonomic drugs, and respiratory stimulants;
 - (D) intravenous fluid therapy in the home health setting, with the exception of the approved scope of practice authorized in subsection (a); or
 - (E) intravenous fluid therapy to any patient under the age of 12 or any patient weighing less than 80 pounds, with the exception of the approved scope of practice authorized in subsection (a);
- (2) initiate total parenteral nutrition or lipids;
- (3) titrate medications;
- (4) draw blood from a central intravenous access device;
- (5) remove a central intravenous access device or any intravenous access device exceeding three inches in length; or
- (6) access implantable ports for any purpose.

(d) Licensed practical nurses qualified by the board before June 1, 2000 may perform those activities listed in subsection (a) and paragraph (b)(9)(A) regardless of their intravenous therapy course content on admixing.

(e) This regulation shall limit the scope of practice for each licensed practical nurse only with respect to intravenous fluid therapy and shall not restrict a licensed practical nurse's authority to care for patients receiving this therapy. (Authorized by and implementing K.S.A. 65-1136; effective Nov. 21, 1994; amended Dec. 13, 1996; amended June 12, 1998; amended Oct. 29, 1999; amended Jan. 24, 2003; amended May 18, 2012; amended Oct. 18, 2013.)

65-4201. Citation of act. This act may be cited as the mental health technician's licensure act.

History: L. 1973, ch. 308, § 1; July 1, 1974.

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Agency 60

State Board of Nursing

Article 7.—Requirements for Licensure and Standards of Practice

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60-7-109. Exempt license. (a) An exempt license shall be granted only to a mental health technician who meets these requirements:

(1) Is not regularly engaged in mental health technician practice in Kansas, but is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto; and

(2) has been licensed in Kansas for the five years previous to applying for an exempt license.

(b) The expiration date of the exempt license shall be in accordance with K.A.R. 60-12-106.

(c) All applications for renewal of an exempt license shall be submitted upon forms furnished by the board and shall be accompanied by the fee in accordance with K.A.R. 60-8-101. (Authorized by and implementing K.S.A. 1996 Supp. 65-4203, as amended by L. 1997, Ch. 158, Sec. 8; effective April 3, 1998.)

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Agency 60

State Board of Nursing

Article 7.—Requirements for Licensure and Standards of Practice

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60-7-110. Expiration dates of licenses; applications. (a) The expiration date of licenses for licensed mental health technicians shall be on the last day of December in each even-numbered year.

(b) Applications for initial licensure by examination and for reinstatement while awaiting documentation of qualifications shall be active for six months.

(1) The expiration date of each application shall be based upon the date of receipt at the agency.

(2) Once the application has expired, each individual seeking licensure shall file a new application along with the appropriate fee as prescribed by K.A.R. 60-8-101. (Authorized by K.S.A. 1996 Supp. 65-4203, as amended by L. 1997, Ch. 158, Sec. 8 and K.S.A. 1996 Supp. 74-1106, as amended by L. 1997, Ch. 146, Sec. 5; implementing K.S.A. 1996 Supp. 65-4203, as amended by L. 1997, Ch. 158, Sec. 8 and K.S.A. 1996 Supp. 65-4205, as amended by L. 1997, Ch. 146, Sec. 3; effective April 3, 1998.)

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Agency 60

State Board of Nursing

Article 7.—Requirements for Licensure and Standards of Practice

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60-7-111. Reporting of certain misdemeanor convictions by the licensee. Pursuant to K.S.A. 65-4205 and amendments thereto, each licensee shall report to the board any misdemeanor conviction for any of the following substances or types of conduct:

- (a) Alcohol;
- (b) any drugs;
- (c) deceit;
- (d) dishonesty;
- (e) endangerment of a child or vulnerable adult;
- (f) falsification;
- (g) fraud;
- (h) misrepresentation;
- (i) physical, emotional, financial, or sexual exploitation of a child or vulnerable adult;
- (j) physical or verbal abuse;
- (k) theft;
- (l) violation of a protection from abuse order or protection from stalking order; or
- (m) any action arising out of a violation of any state or federal regulation. (Authorized by K.S.A. 65-4203 and K.S.A. 2007 Supp. 65-4205; implementing K.S.A. 2007 Supp. 65-4205; effective Nov. 7, 2008.)

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