

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 509  
Board Meeting Agenda  
September 13, 2023**

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

**Time: 9:15 a.m. – Until Finished**

Board Present: Julianna Rieschick, RN, MSN, NEA-BC, President  
Rebecca Sander, MSN, RN, Vice President  
Andrea Watson, RN, BSN, OCN, CCRP, Secretary  
Adri Gouldsmith, LPN  
Melissa Oropeza, DNP, APRN-BC, CGRN  
Lori Owen, LPN  
Michaela Hysten, MSN, BSN, RN  
Ruth L.M. Burkhart, DNP, MSN, MA, RN-BC, LPCC  
Geovannie Gone, Public Member  
Michelle Terry, Public Member  
Brenda Sharpe, Public Member

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

- I. Quorum (minimum of 6 members present) – Yes or No
- II. Call to Order
- III. Review of Onsite packet
- IV. Additions/Revisions to Board Agenda
- V. Announcements
- VI. Approval of Minutes – June 14, 2023

**Consent Item Agenda**

- 1. Written update on CE Broker
- 2. Written update on Licensing Software

**Agency Reports**

- 1. Executive Administrator Report
- 2. Staff Reports

- Committee Reports:**
1. Education Committee – Chair, J. Rieschick  
Committee Report  
Action Items
  2. Investigative Committee – Chair, R. Sander  
Committee Report  
Action items
  3. CNE/IV Therapy Advisory Committee – Chair, A. Watson  
Committee Report  
Action Items
  4. APRN Committee – Chair, M. Oropeza  
Committee Report  
Action Items
  5. Practice Committee – Chair, M. Oropeza  
Committee Report  
Action Items
  6. Finance Committee – Chair, J. Rieschick  
Committee Report  
Action items

**Unfinished Business:**

1. Report from NCSBN Annual Meeting
2. Update on K.A.R. 60-2-103
3. Board Retreat Report
4. Apprenticeship Update – Jaron Caffery, Kansas Hospital Association

**New Business:**

1. Kansas Nursing Leadership and Workforce Center – Amy Garcia
2. Board Member Job Description
3. Annual Delegation Motions
4. KSBN Articles
5. Election of Officers
6. Review of Mission Statement

Executive session if needed.

(The meeting will proceed as set by the agenda. Open Forum will be held at 1:00 p.m. when a presenter is scheduled.)

VII. Agenda for December 2023 Board meeting

VIII. Adjourn:

**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.

Any individual with a disability may request accommodation to participate in the board meeting and may request the board packet in an accessible format. Requests for accommodation should be made at least five working days in advance of the Board meeting.

by contacting Jill Simons at (785) 296-5752. Handicapped parking is available at the Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84876138353?pwd=VWhMTXdpdk5uMnRWN3VCclRrNGdyUT09>

Passcode: KsbnBoard

Or One tap mobile :

+12532158782,,84876138353#,,,\*562604517# US (Tacoma)

+13462487799,,84876138353#,,,\*562604517# US (Houston)

Or Telephone:

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

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 205 0468 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

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## **Consent Agenda Item 2: Written update on CE Broker**

CE Broker has worked with KSBN Education Staff to finalize the LTP and SP Provider Applications to match the format that has been utilized on our website. Their provider applications have been reviewed and approved by KSBN Education Staff. All the changes requested have been made.

All KSBN components of CE Broker are ready for implementation. CE Broker will be implemented on September 1, 2023. KSBN will be provided information to utilize on our website, social media, and the newsletter to announce the implementation. Training sessions will be scheduled for the CNE providers that may utilize CE Broker for the provider applications. The CE Broker Help Desk will be available for licensee questions. The CNE/IV Therapy Committee will be updated on September 12, 2023.

## **Consent Agenda Item 3: System Automation Licensing System Upgrade**

KSBN received a generous financial grant provided under the federal American Rescue Plan Act of 2021, as recommended by the Strengthening People and Revitalizing Kansas (SPARK) Taskforce and the approved by the State Finance Council for the State Efficiency and Modernization Program. Funding acceptance was approved by the KSBN Board President. This funding will be used as part of the modernization upgrades to the KSBN licensing system.

Project plan paperwork has been approved and signed. KSBN began the modernization project plan discussions with the licensing software vendor, System Automation. This project will be a multiphase project. Phase 1 will include the following deliverables. Project Management Plan, Requirements Documentation, MyLicense Upgrade in Test Deploy Jasper Reports Server, Perform Jasper Reports Training, Configure KSBN Data Model, Deploy Hyland Perceptive Integration, Install and Configure Verification, User Acceptance Testing Go-Live and Operational Support. Total for Phase 1 (High-End Timeline) 5-6 months.

Phase 2 – Implement MyLicense One Online Services and Case Management, MyLicense One Setup Fee, Online Services and Case Management Requirements Documentation, MyLicense One Administrator Training, Online Initial Application Configuration, Online Renewal Configuration, Demographics Update Configuration, Case Management Configuration, User Acceptance Testing of Online Services and Case Management, Perform End User Training for Case Management, Go-Live and Operational Support, Total for Phase 2 (High-End Timeline) 12 months.

KSBN is prepared to commit the needed resources to move forward with the upgrades that are needed to implement the enforcement, mobile and reporting modules. This project will be completed in phases over two fiscal years and received approval for Phase 1 from budget and

KITO project approvals by state officials. KSBN IT will begin initial system migration configurations in September.

**60-2-103. Nursing program faculty and preceptor qualifications.** (a) Professional nursing programs.

(1) Each nurse faculty member shall be licensed as a registered professional nurse in Kansas.

(2) Each preceptor shall meet the following requirements:

(A) Be licensed as a registered professional nurse in the state in which the individual is currently practicing nursing; and

(B) complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship and course information.

(3) Each nursing program shall have a written plan that includes the method of selection of preceptors, the roles of the faculty members and preceptors, and the methods of contact between faculty members and preceptors during the preceptorship.

(4) Each nurse faculty member shall have academic preparation and experience as follows:

(A) Each nurse faculty member who is assigned the responsibility of a course shall hold a graduate degree. Each person who is hired as a nurse faculty member shall have a graduate degree in nursing, preferably in the clinical area being taught, except for any person whose graduate degree was conferred before July 1, 2001.

(B) Each nurse faculty member responsible for clinical instruction shall possess a graduate degree or provide to the board a faculty degree plan that projects completion of a graduate degree. Each person who is hired as a nurse faculty member responsible for clinical instruction shall meet one of the following requirements:

(i) Have a graduate degree in nursing, preferably in the clinical area being taught, except for any person whose graduate degree was conferred on or before July 1, 2001; or

(ii) provide to the board a faculty degree plan that projects completion of a graduate degree in nursing.

(b) Practical nursing programs.

(1) Each nurse faculty member shall be licensed as a registered professional nurse in Kansas.

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(2) Each preceptor shall meet the following requirements:

(A) Be licensed as a registered professional nurse in the state in which the individual is currently practicing nursing; and

(B) complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship and course information.

(3) Each nursing program shall have a written plan that includes the method of selection of preceptors, the roles of the faculty members and preceptors, and the methods of contact between faculty members and preceptors during the preceptorship.

~~(2)~~(4) Each nurse faculty member shall have academic preparation and experience as follows:

(A) Each nurse faculty member who is assigned the responsibility of a course shall hold a baccalaureate degree. Each person who is hired as a nurse faculty member shall have a baccalaureate or higher degree in nursing, except for any person whose degree was conferred on or before July 1, 2001.

(B) Each nurse faculty member responsible for clinical instruction shall possess a baccalaureate degree or provide to the board a faculty degree plan that projects completion of a baccalaureate degree. Each person who is hired as a nurse faculty member responsible for clinical instruction shall meet one of the following requirements:

(i) Have a baccalaureate or higher degree in nursing, except for any person whose degree was conferred on or before July 1, 2001; or

(ii) provide to the board a faculty degree plan that projects completion of a baccalaureate or higher degree in nursing.

(c)(1) For each nursing program, each nursing program administrator shall submit to the board the following:

(A) A faculty qualification report for each faculty member newly employed. Faculty with a continuing appointment shall have an appropriate degree;

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(B) a faculty degree plan reflecting completion of the degree within six years for each instructor without the appropriate degree. Upon completion of the degree, a transcript showing completion of the nursing program shall be submitted to the board; and

(C) notification and a rationale for each faculty member who is not following the degree plan as submitted.

(2) The nursing program administrator may request a faculty hire exception to be approved by the board's professional staff, if faculty meeting the criteria specified in this regulation are not available, by providing documentation of the following:

- (A) A lack of qualified applicants;
- (B) a rationale for the need to hire the applicant;
- (C) the applicant's qualifications; and
- (D) a plan for faculty recruitment.

~~This regulation shall be effective on and after January 1, 2022.~~ (Authorized by K.S.A. 65-1129; implementing K.S.A. 65-1119; effective April 4, 1997; amended Jan. 24, 2003; amended January 1, 2022; amended P- \_\_\_\_\_.)

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DEPT. OF ADMINISTRATION

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JAN 17 2023

ATTORNEY GENERAL

Kansas State Board of Nursing  
Landon State Office Building  
900 SW Jackson St., Suite 1051  
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Carol Moreland, MSN, RN  
Executive Administrator

Kansas State Board of Nursing

Laura Kelly, Governor

April 25, 2023

A public hearing will be conducted at 10:00 A.M. Monday, July 24, 2023, in Room 560 of the Landon State Office Building, 900 S.W. Jackson St., Topeka, KS to consider the adoption of proposed amended changes in one existing regulation, K.A.R. 60-2-103, relating to nursing program faculty and preceptor qualifications.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Executive Administrator of the Kansas State Board of Nursing, 900 S.W. Jackson St., Room 1051, Topeka, KS 66612 or by email to [carol.moreland@ks.gov](mailto:carol.moreland@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. Phone comments will be taken by calling 1-877-278-8686 (access code 110858) at the time of the hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Carol Moreland at (785) 296-5752. The north entrance to the Landon State Office Building is handicapped accessible. Handicapped parking is located at the north end of the Landon State Office Building, across the street from the north entrance to the building, and on Ninth Street, just around the corner from the north entrance to the building.

A copy of the proposed regulation and associated economic impact statement may be obtained by accessing the Kansas State Board of Nursing website at <https://ksbn.kansas.gov> or by contacting the Executive Administrator of the Kansas State Board of Nursing, Landon State Office Building, 900 S.W. Jackson St., Room 1051, Topeka, KS 66612, (785) 296-5752, or [carol.moreland@ks.gov](mailto:carol.moreland@ks.gov) prior to the date of the hearing. A summary of the proposed regulation and the economic impact follows.

**K.A.R. 60-2-103. Nursing program faculty and preceptor qualifications.** The proposed amended revision for this regulation includes an addition of preceptor qualifications for a practical nursing (PN) program. The preceptor qualifications for a PN program would include the following requirements: be licensed as a registered professional nurse in the state in which the individual is currently practicing nursing; and complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship and course information. Each nursing program shall have a written plan that includes the method of selection of preceptors, the roles of the faculty members and preceptors, and the methods of contact between faculty members and preceptors during the preceptorship. There is minimal economic impact to the Board of Nursing. Communication of the changes can be communicated to nursing programs via existing communication venues. The economic impact to PN programs and community colleges is minimal. There is no economic impact to licensees and the general public.



**Kansas Legislative Research Department**

*Providing nonpartisan, objective research and fiscal analysis for the Kansas Legislature since 1934*

68-West-Statehouse | 300 SW 10th Ave. | Topeka, Kansas 66612-1504  
(785) 296-3181

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kslegislature.org/klrd

July 14, 2023

**To:** Kansas Legislature

**From:** Jill Shelley, Principal Research Analyst

**Re:** Report of the July 10, 2023, Meeting of the Joint Committee on Administrative Rules and Regulations

With this report, the Joint Committee on Administrative Rules and Regulations (Committee) provides its comments on rules and regulations reviewed at its meeting on July 10, 2023. Agencies are asked to respond to each comment or request for information; responses are compiled and maintained by staff of the Kansas Legislative Research Department.

**Kansas Insurance Department**

KAR 40-1-54, pharmacy benefits manager; network adequacy report.

KAR 40-2-14a, revoked (was life insurance and annuities; recommendation standards); KAR 40-3-12, revoked (was fire and casualty insurance companies; rating plans; requirements); KAR 40-3-13, fire and casualty insurance companies, rating plans, duplication prohibited.

**KAR 40-1-54.** The Committee requests the agency provide the numbers of complaints regarding pharmacy benefit managers that were reported to the agency in the past year (or years, depending on the data available), in the detail available, and asks whether in-person complaints are recorded and included in the data.

**Board of Nursing**

KAR 60-2-103, nursing program faculty and preceptor qualifications.

The Committee had no comments.

**Kansas State Board of Healing Arts**

KAR 100-11-1, amount.

The Committee notes the agency's fee fund has been growing and recommends delaying these fee increases and addition of staff until the agency's proposed budget is reviewed via the legislative budget process.

### **Kansas Department of Wildlife and Parks**

KAR 115-7-10, fishing; special provisions; KAR 115-18-10, importation and possession of certain wildlife; prohibition, permit requirement, and restrictions; KAR 115-25-14, fishing; creel limit, size limit, possession limit, and open season.

KAR 115-25-7, antelope; open season, bag limit, and permits; KAR 115-25-8, elk, open season, bag limit, and permits; and KAR 115-25-9, deer, open season, bag limit, and permits.

KAR 115-25-9a, deer; open season, bag limit, and permits; additional considerations; military subunits.

KAR 115-20-2, certain wildlife; legal equipment, taking methods, possession, and license requirement.

The Committee had no comments.

### **Board of Pharmacy**

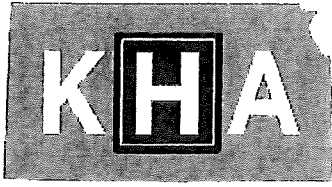
KAR 68-20-32, 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo [f] [1,2,4] triazolo[4,3-a] [1,4]diazepine included in schedule I [flubromazolam].

The Committee had no comments.

### **Department of Transportation**

KAR 36-43-1, crew requirements; exceptions.

The Committee expresses its concerns regarding the potential economic and workforce implications of this proposed rule and regulation and notes other topics such as federal preemption and public safety related to railroads appear to need further discussion. The Committee recommends the proposed rule and regulation be withdrawn at this time and this proposal be brought before the Legislature.



**Kansas Hospital  
ASSOCIATION**

TO: The Kansas Board of Nursing

FROM: Karen Braman, Senior Vice President Clinical and Strategic Initiatives  
Jaron Caffrey, Project Manager Workforce Strategies

Date: July 21 2023

RE: Comments in Support of K.A.R. 60-2-103 Amended Changes

This memo is in follow-up to the Kansas State Board of Nursing's announcement of a public comment period on April 25<sup>th</sup> related to proposed changes in K.A.R. 60-2-103. The Kansas Hospital Association is in favor of adding preceptor qualifications for practical nursing (PN) programs.

The 2023 KHA Workforce Survey identified that 26% of hospital-based licensed practical nurse (LPN) positions are vacant and 13% of hospital-owned clinic and physician practice LPN positions are vacant. As of July 20<sup>th</sup>, the LiquidCompass hiring tool displays 344 active job openings across Kansas for LPNs/LVNs. Kansas hospitals believe in the need to support our partners in higher education as they are key to producing the qualified, educated, and well prepared workforce that health care employers need to provide high quality patient care to all.

KHA has heard from nursing programs that the top concerns and limitations on expanding their programs or even operating their programs at full capacity are a lack of faculty and a lack of clinical sites. By enabling this flexibility for clinical sites to now take place in PN programs via preceptorship, we believe this can begin to tackle the issue of lack of clinical sites. Many hospitals currently have agreements with Kansas colleges to serve as clinical sites for nursing students and welcome the opportunity to provide clinical experiences in hospital and hospital-owned settings for PN students via preceptorship. While opening up LPN clinicals for preceptorship is no panacea for the workforce shortage, we believe it is a step in the right direction to make it as efficient as possible to provide clinical experiences to students, particularly in light of faculty shortages.

There are many members of nursing teams across the state that understand the importance of and value in providing clinical experiences to the next generation of the nursing workforce, and allowing qualified nurses to precept PN students will allow nursing programs to admit more students, and ideally graduate more students into our nursing workforce. We hope this information is helpful as the Board further considers the rules and regulations before them. Please feel free to contact us at any time should you have further questions or if additional details would be of assistance.

## Board Member Model Job Description

### Job Summary

Board members comprise the governing body of a state's board of nursing (BON). Led by a board president and in conjunction with the board's staff, the board articulates the BON's mission, creates policy and enforces the rules and laws meant to protect the health, safety and welfare of the people in their jurisdiction.

### Responsibilities

- |    |   |
|----|---|
| 1  | Prepares for, attends, and actively participates in all board meetings.   |
| 2  | Enforces the state's nurse practice act (NPA) and regulations associated with the practice of nursing in the jurisdiction.  |
| 3  | Participates in the discipline of licensees, ensuring fair and equitable decisions.   |
| 4  | Approves staff guidelines for handling licensure, discipline, continuing education and educational program approval.  |
| 5  | Adopts, revises, and approves standards of practice for the registered nurse, licensed practical nurse and advanced practice registered nurse. Ensures all nurse practice standards are relevant to current nursing practice. |
| 6  | Makes decisions on nursing education program approval and works with the board to monitor and enforce prelicensure nursing education standards.   |
| 7  | Reviews legislation (optional), discusses nursing policy and proposes changes when needed.  |
| 8  | Approves the issuance of advisory and declarative statements that provide clarification and guidance regarding the state's NPA, rules, board policies, etc. (optional).   |
| 9  | Performs other duties, consistent with jurisdictional law, as required by the board to foster and improve nursing and the regulation thereof and the public health of the jurisdiction.                                       |
| 10 | Serves as a member on select standing and special committees, as appointed by the board president or the board (optional).  |

### Competencies

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• Accountability</li> <li>• External awareness</li> <li>• Knowledge of state nursing laws and regulations</li> <li>• Oral communication skills</li> <li>• Teamwork</li> <li>• Risk taking</li> </ul> | <ul style="list-style-type: none"> <li>• Decisiveness</li> <li>• Flexibility/agility</li> <li>• Leadership</li> <li>• Policy development and political savvy</li> <li>• Strategic thinking</li> <li>• Ability to demonstrate impartiality and think objectively</li> </ul> |
|---|--|

### Equal Opportunity Statement

Our organization does not discriminate on the bases of race, ethnicity, religion, national origin, political affiliation, sex, gender, sexual orientation, marital status, disability, age, military service or any other trait or affiliation. We recognize that diverse perspectives are needed to ensure that nurse regulators develop rules and laws that protect every segment of the population from harm.

## **BOARD MEMBER CODE OF CONDUCT / JOB DESCRIPTION**

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The Code of Conduct is a set of expectations intended to assure the Public the Board and its individual members uphold the highest level of integrity and ethical standards. The following principles provide the foundation for assuring public trust in professional regulation:

- The mission of a regulatory board for a licensed profession is to ensure that the public will have access to competent, safe, and ethical practitioners in the profession.
- The major functions of Board members are to create policy, implement the mission, vision, and value statements and to govern rather than to manage.
- Members of a regulatory board must familiarize themselves with the laws, rules, regulations, policies, and procedures that govern their service on the board.
- The work of regulatory boards for licensed professionals is public service, not private interest, or group advocacy.
- Performance of public service is a privilege, not an earned or inherited right.
- Regardless of whether a member of a regulatory board for a licensed profession is a licensee or some other profession, a consumer, or any other type of member, it is essential for each board member to represent the public; that is, all of the people. Board members do not represent the profession, nor any other private or political group.
- Members of regulatory boards must report any actual or perceived conflict of interest to the Board or Committee Chair.
- Members of regulatory boards shall avoid any relationship, activity or position that may influence, directly or indirectly, the performance of their official duties as a board member.



## BOARD MEMBER CODE OF CONDUCT / JOB DESCRIPTION

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### Job description

Therefore, each Member of the North Carolina Board of Nursing shall:

1. Fulfill the oath to uphold the laws of North Carolina regarding the practice of nursing for the protection of the public.
2. Read and re-read the laws, rules, and policies under which the Board operates.
3. Prepare for, attend, and participate in the meetings of the Board and committees to which appointment has been accepted. As a guideline, the Board references Executive Order 34 Ethics and Attendance Standards for Gubernatorial Appointees to the Board, which states members are required to attend at least 75% of a Board's regularly scheduled meetings.
4. Utilize electronic tools to include Board issued devices and email for meeting preparation and communication with staff.
5. Review, complete and submit all surveys, assessments, and other staff requests within the designated time frame in order to adhere to Board policies and procedures.
6. Respond to all emails, phone calls, or text messages related to Board communication within 48 hours.
7. Ensure each matter is dealt with in a fair, equitable, impartial and just manner based on what is best for the consumer of nursing practice.
8. Reveal actual or perceived conflicts of interest and recuse from Board decision making when appropriate.
9. Ensure the rights to due process and protect the integrity of individuals and agencies who appear before the Board.

## **BOARD MEMBER CODE OF CONDUCT / JOB DESCRIPTION**

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10. Accept responsibility and accountability for the decisions made by the Board, regardless of personal opinion.
11. Maintain confidentiality of confidential documents, information, and general Board matters.
12. Demonstrate mutual respect and support for each other and the staff of the Board in all Board related activities.
13. Not speak or act for the Board without proper authorization.
14. Avoid advising and/or conferring with those licensees and/or their legal counsel(s) who have been issued or may be issued a letter of charges by the Board.
15. Adhere to all deadlines and requirements as outlined in NC General Statute Chapter 138A NC State Ethics Act.
16. Selecting and evaluating the performance of the Chief Executive Officer.
17. Maintain confidentiality about all internal matters of the organization.



## Board of Directors Roles & Responsibilities

**Position Description:** Cyversity Board of Directors

**Position Title:** Director, Cyversity Board of Directors

**Reports to:** Members of the Association

**Term:** Two years with an option for re-election.

**Board Mission:** To steward the organization toward a sustainable future by adopting sound governance and financial management policies as well as ensuring the availability of adequate resources to advance the mission.

### **Responsibilities of the Cyversity Board of Directors**

- Drive Strategic and organizational planning
- Determine the mission and purposes of the organization
- Ensure strong fiduciary and financial oversight
- Fundraise and support resource development
- Provide oversight of President/Executive Leader
- Approve and monitor organization's programs and services
- Represent, promote and enhance the organization's public image
- Ensure legal and ethical integrity throughout organizational activities
- 

### **Responsibilities of the Individual Directors**

- Know the organization's mission, policies, programs and needs
- Consistently read and understand the organization's financial statements
- Leverage connections, networks, and resources to support identification and securing of financial capital and partnerships necessary for the organization to advance its mission
- Give a meaningful personal financial donation annually
- Prepare for, attend, and participate in board meetings (usually held quarterly)
- Actively participate in one or more committees
- Serve as vested advocates and ambassadors for the organization

### **Qualifications**

- Cyversity Member
- Relevant industry, professional or philanthropic experience
- Exemplary influence and leadership qualities within the cybersecurity or adjacent fields and/or within communities served by the Cyversity mission
- Passionate alignment with the Cyversity mission and vision
- Strong communication skills
- Prior Board experience preferred but not required



## Board of Directors Roles & Responsibilities

### **Attendance**

Board members are expected to attend all meetings of the Board of Directors. If a member has an unexcused absence from the meeting and/or if a member misses more than one (1) meeting, the Board can act – upon majority vote - to remove the member from the Board. Board members are expected to attend the annual conference and participate in-person during the onsite meeting prior to the conference.

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

# Kansas State

## Board of Nursing

### Articles



Adopted July 2001, Revised June 2021

# **KANSAS STATE BOARD OF NURSING**

## **ARTICLES**

Insofar as these articles conflict with or limit any federal or state statute or regulation, the statute or regulation controls. These articles are not intended to create any rights, contractual or otherwise, for any person.

### **ARTICLE I - NAME AND LOCATION**

**Section 1.** The name of the agency shall be the Kansas State Board of Nursing, hereinafter referred to as the Board.

**Section 2.** The Board is located in the Landon State Office Building, 900 SW Jackson, Suite 1051, Topeka, Kansas 66612-1230.

### **ARTICLE II - PURPOSE AND FUNCTIONS**

**Section 1.** Purpose. The purpose of the Board is to protect and promote the welfare of the people of Kansas. This purpose supersedes the interest of any individual, the nursing profession, or any special interest group. This is accomplished through the regulation of standards for nursing education, licensure, and practice.

**Section 2.** Functions. The Board performs the functions set forth in 1997 Supp. K.S.A. 74-1106 and are summarized as follows:

- a. Licenses registered professional and practical nurses, and mental health Technicians, licenses APRN's and authorizes RNA's;
- b. regulates the practice of nursing, mental health technology, and advanced nursing practice;
- c. accredits educational programs leading to licensure;
- d. approves continuing nursing education programs and offerings;

- e. provides guidance to licensed nurses and mental health technicians on the practice acts;
- f. receives reports and investigates possible violations of the Nurse Practice Act and rules and regulations;
- g. disciplines violators through appropriate legal action to enforce the Nurse Practice Act and rules and regulations;
- h. promotes effective communications with organizations, groups and individuals interested in health care;
- i. complies with K.S.A. 77-415 et seq. for public comment with regard to the rules and regulations and the Nurse Practice Act and reviews and modifies the rules and regulations when necessary and appropriate;
- j. recommends to the legislature appropriate changes in the Nurse Practice Act to ensure that the act is current and applicable to changing needs and practices; and
- k. performs such other functions as specified in the Nursing Practice Act.

### **ARTICLE III - MEMBERSHIP**

**Section 1.** Members. The Board shall consist of six registered professional nurses, two licensed practical nurses, three shall be members of the general public and at least one public member shall not have been involved in providing health care.

**Section 2.** Qualifications. Appointments shall be made by the governor. Such person shall have qualified as per K.S.A. 74-1106 (b).

**Section 3.** Privileges of Membership. Each member of the Board has the privilege of voting, of holding office, and of serving on committees.

**Section 4.** Reimbursement. Members of the board of nursing attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid

compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. No member of the board of nursing shall be paid an amount as provided in K.S.A. 75-3223 and amendments thereto, if such member receives an amount from another governmental or private entity for the purpose for which such amount is payable under K.S.A. 75-3223 and amendments thereto.

**Section 5.** The Board may request voluntary resignation of any of its members for neglect of duty or other conduct which shall mean:

- a. failure to attend two consecutive meetings without justification;
- b. failure to participate in committees to which appointment was accepted without justification;
- c. abuse of position.

Any member wishing to resign shall submit resignation in writing to the Governor and Board President who shall present it to the Board.

**Section 6.** In keeping with the Board's Purpose as stated above in Article II, Section 1, Board members are disqualified and will recuse themselves from chairing or voting in any proceeding before the Board or a Board committee if:

- a. the Board member has an substantial economical interest in a subject matter;  
or
- b. the Board member or the Board member's spouse, parent, or child is an officer or director of a professional association that is actively promoting or representing a particular subject matter or issue on behalf of the association;  
or



- c. the Board member has prior knowledge of the allegations in a licensee's disciplinary case or personally knows or is involved with the licensee who is the subject in the discipline case.

#### **ARTICLE IV - OFFICERS**

**Section 1.** The officers shall consist of a President, Vice-President and Secretary.

**Section 2.** The three officers shall be elected at the September meeting, and shall serve for one year. At each September Board meeting an individual Board member will be designated to make decisions on the behalf of the agency head for purpose of granting or denying petitions for reconsideration or review filed with the agency head.

**Section 3.** In the event of the vacancy of one of the three offices, a new election will be held at the next meeting to fill the vacancy.

**Section 4.** The President shall:

- a. preside over all meetings of the Board;
- b. establish a proposed agenda in consultation with the Executive Administrator for meetings of the Board;
- c. gain consent and appoint all members of ad hoc and standing committees, including chair and vice chair of each committee;
- d. serve as ex-officio member of all standing and special committees with a voice, but shall not vote except when needed as a member to establish a quorum;
- e. remove any committee member not fulfilling obligation to a committee;
- f. have the right to vote on all Board issues;
- g. sign appropriate legal documents;
- h. advise Executive Administrator;
- i. oversee the annual evaluation of the Executive Administrator;

- j. be responsible for the proper functioning of the work of the Board; and
- k. have power and authority to administer oaths.

**Section 5.** The Vice-President of the Board shall:

- a. serve in the absence of the President; and
- b. assume all such functions or responsibilities as may be delegated by the President.
- c. assist President and Executive Administrator with appointments to committees.

**Section 6.** The Secretary shall:

- a. sign all Board minutes;
- b. keep a record of all meetings of the Board
- c. have power and authority to administer oaths and
- d. preside in the absence of the President and Vice-President.

## **ARTICLE V - EXECUTIVE ADMINISTRATOR**

The Executive Administrator shall:

- a. administer agency operations by the following:
  - 1. evaluate staffing patterns to enhance operation of the organization;
  - 2. direct professional and clerical staff for efficient functioning;
  - 3. solve administrative problems;
  - 4. evaluate agency staff; and
  - 5. assist professional staff to review investigative cases
- b. manage board activities as follows:
  - 1. develop a proposed agenda for meetings of the Board with the President;
  - 2. research and prepare informational materials for Board meetings;
  - 3. assist staff in completing work of permanent and Ad Hoc committees;
  - 4. serve as professional staff to both standing and Ad Hoc committees; and

5. report on national and state issues to the Board;
- c. manage agency budget:
    1. develop agency budget based on current agency expenditures, trends, and issues;
    2. present budget to legislature and appropriate others; and
    3. evaluate on-going expenditures and revenues to maintain balanced budget;
  - d. participate in legislative and regulatory activities as follows:
    1. evaluate current statutes and regulations as to changing needs of nursing and health care as directed by Board;
    2. prepare drafts of changes in statutes and regulations for Board approval;
    3. present testimony on proposed changes in statutes before the legislature; and
    4. prepare statistical and technical reports for the legislature;
  - e. participate in professional activities:
    1. provide information on nursing issues to licensees, nursing schools, and providers of continuing nursing education;
    2. facilitate joint activities with nursing organizations, Attorney General's office, and other state agencies;
    3. represent the Board at local, state, and national meetings;
    4. write articles for newsletters;
    5. compile an annual report; and
    6. lecture on nursing issues;
  - f. perform such other duties as directed by the Board.

## ARTICLE VI - MEETINGS

**Section 1.** The Board adheres to the provisions of the Open Meetings Law.

Regular business meetings shall be held at a place and time designated by the Board.

**Section 2.** A minimum of four regular meetings shall be held each year, March, June, September and December. In the case of unusual circumstances and the Board cannot meet at a regularly scheduled time, then notice shall be given and the meeting shall be rescheduled.

- a. The annual meeting shall be held in September.
- b. A schedule of dates for meetings shall be presented to the Board a year in advance.
- c. Notice shall be given to the public at least twenty-one (21) days prior to the date of the meeting except in cases of special or emergency meetings when notice will be given as soon as possible. The purpose of the meeting shall be stated in the meeting notice.
- d. There shall be a quorum of six Board members including at least two professional nurse members. For the purpose of a quorum, one or more members may participate by telephone conference call, video conference or other interactive means of conducting conference communications.
- e. Minutes of each meeting shall include the names of participating members, by what means they were participating, and a report of the roll call on each vote.

**Section 3.** Special Meetings. Special meetings shall be called by the Executive Administrator at the request of the President, or upon the request of three members of the Board.

**Section 4.** The Board shall use a consent agenda, whereby those items that require no

discussion, no action, or action but no anticipated discussion can be adopted in one motion. A Board member, after reviewing the agenda, may request the removal of an item from the consent agenda for purpose of discussion.

**Section 5.** Notice of meetings - Request for notice of meetings pursuant to the Kansas open meetings act should be directed to: Executive Administrator, Board of Nursing LSOB, 900 SW Jackson, Rm 1051, Topeka, Kansas, 66612-1230. Written requests are preferred, but not required.

**Section 6.** Members of the public may participate at Board or committee meetings only at the discretion of the Board President or Committee Chair. Articles for the public will be available at all meetings.

**Section 7.** Parliamentary procedure.

- a. The Board shall use parliamentary rules of order adopted by the Board.
- b. Robert's "Rules of Order, Newly Revised" latest edition, shall govern the proceedings of the Board in all cases not provided for in the parliamentary rules adopted by the Board.

## **ARTICLE VII. - COMMITTEES**

**Section 1.** The committees serve as an advisory body to the Board.

- a. Standing committees shall be Practice, Continuing Nursing Education/IV Therapy, Advanced Practice, Finance, Investigative, Education, and Certified Nurse-Midwife Council.
- b. Committees may submit recommendations to the Board. A Board member will need to make the recommendation in a motion which would then be subject to approval by the entire Board.

- c. Committee meetings shall conform to the law regarding open meetings. The dates, times, and places of all committee meetings shall be listed with their agenda.
- d. Members of the Board on standing committees shall be appointed by the President in consultation with the Vice President following the annual meeting.
- e. Non-Board members shall be appointed to standing committees by the President in consultation with the Vice President and shall serve for two year terms. Each non-Board committee member shall have qualifications related to the committee of appointment.
- f. Appropriate Board staff shall serve as non-voting members of all committees. Board staff or designees shall provide support services to each committee, and prepare and distribute minutes and agendas of each meeting to committee members.
- g. Agendas will be prepared in accordance with Agenda Policy (see attachment A).

**Section 2. Practice Committee**

- a. Membership: A minimum of three Board Members, including at least one Practice RN member, one LPN member, and at least five non-Board members engaged in practice and/or IV Therapy.
- b. Purpose: To review and recommend revisions in APRN and RNA statutes and regulations. To provide nonbinding guidance on the scope of nursing and LMHT practice in response to written inquiries. To make recommendations to amend the practice act that reflect current nursing and mental health technician practice.

**Section 3. Continuing Nursing Education/ IV Therapy Committee**

- a. Membership: A minimum of three Board Members, including one RN member and three non-board members who are representatives of approved CNE providers.
- b. Purpose: To review continuing nursing and mental health technician education; To review and recommend revisions to CNE statutes and regulations; To monitor and approve CNE providers for both initial and renewal status; To review statistical information regarding providers of CNE. To review and recommend revisions in educational statutes and regulations for IV therapy programs. To review educational policies for IV therapy programs; to review all reports and evaluations of IV therapy programs.

#### **Section 4. Advanced Practice**

- a. Membership: A minimum of three Board Members including at least one APRN member and four non-Board members representing each of the categories of advanced practice registered nurses: clinical nurse specialist, nurse midwife, nurse practitioner, and registered nurse anesthetist.
- b. Purpose: To review and recommend revisions to statutes and regulations for approval of APRN and RNA programs in collaboration with the Education Committee.

#### **Section 5. Finance Committee**

- a. Membership: A minimum of three Board Members.
- b. Purpose: To review and project budgetary needs to support agency; To maintain a structured system for monitoring impaired licensees; To review and recommend revisions to the impaired assistance program yearly contract.

- c. Fee Fund Balance Guidelines Purpose: The Board has established these guidelines to ensure that the agency maintain a sufficient balance in the fee fund to ensure continuous operation of the agency if there was a decrease in revenue or an emergency in which all equipment, furniture, supplies, office space, etc were destroyed by a natural or manmade disaster. The State of Kansas is self insured, and the agency is a fee funded agency which receives no state general funds.
- d. Fee Fund Balance Guidelines Policy: The agency is required to submit a biennial budget. During the budget process, the fee fund is reviewed. The fee fund balance should be reviewed by the Board after budget has been submitted to the Governor and receiving the Governors' Recommendations. The following criteria will be applied to determine the balance to be maintained in the fee fund:
  - (1) The replacement cost of all physical assets
  - (2) The cost for temporary relocation of office for up to six months of expenses
  - (3) Six months of operating expense

**Section 6. Investigative**

- a. Membership: A minimum of three Board Members including at least one RN member.
- b. Purpose: To review and recommend revisions in investigative and discipline statutes and regulations. To conduct a review of cases opened by the legal department, determine what type of disciplinary proceeding, and recommend proceedings be initiated. To review and recommend changes to investigative and discipline policies and procedures. To maintain a structured system for



monitoring impaired licensees; to review and recommend revisions to the impaired assistance program yearly contract.

**Section 7. Education**

- a. Membership: A minimum of three Board Members including at least two Educator RNs and four non-Board members representing the four types of educational programs: LPN, ADN, BSN, and APRN.
- b. Purpose: To review and recommend revisions in educational statutes and regulations for nursing, APRN, RNA, and LMHT programs. To review educational policies for nursing and LMHT programs; to review all reports, evaluations, and site visits of schools of nursing, APRN, RNA, and LMHT programs.

**Section 8. Nurse-midwives Council**

- a. Membership: A minimum of four non-Board Members who are certified nurse-midwives licensed and appointed by the Board Nursing and a minimum of two members licensed by the board of Healing Arts to practice medicine and surgery and whose specialty and customary practice includes obstetrics, appointed by the Board of Healing Arts.
- b. Purpose: The statute establishes a Nurse-midwives Council to advise the Board of Healing Arts in developing, reviewing, and implementing the rules and regulation pertaining to certified nurse-midwives engaging in the independent practice of midwifery.

**Section 9. Other Committees**

Such other committees, standing or ad hoc, shall be appointed by the President as deemed necessary to carry on the work of the Board. The President shall provide any such committee with a stated purpose or mission.

**Section 10. Appointments, Quorum, Annual Reports**

- a. The President and Executive Administrator shall be ex-officio members of all committees.
- b. A quorum of the committees shall consist of a majority of the members. Only committee members duly appointed shall be entitled to vote within the committee. The President may serve as a voting member of any committee in order to establish a quorum. Other Board members may participate but have no vote.
- c. In the sustained absence or temporary inability to serve by one committee member, the President shall appoint a new member.
- d. Meetings of the committee shall be held at least once each year and whenever deemed necessary by the chairperson of the committee or the Board.

**ARTICLE VIII. - AMENDMENTS TO THE BYLAWS**

**Section 1. Proposals**

- a. Proposed amendments to the bylaws shall be submitted to the Secretary and sent to each member of the Board by the Secretary at least two weeks prior to the meeting of the Board and shall be included in the agenda of that meeting.
- b. The President will form an ad hoc committee of Board members as needed to review bylaws.