

**Kansas State Board of Nursing
Board Meeting Minutes
September 11, 2024**

Time: 9:15 a.m. – 2:08 p.m.

Board Members: **Present in Person**
Julianna Rieschick, RN, MSN, NEA-BC, President
Andrea Watson, RN, BSN, OCN, CCRP, Vice President
Michaela Hysten, MSN, BSN, RN, Secretary
Adri Gouldsmith, LPN
Lori Owen, LPN – absent with prior notice
Amy Hite, EdD(c), DNP, FNP-C
Ruth Burkhart, DNP, MA, RN-BC, LPCC
Melissa Oropeza, DNP, APRN-BC, CGRN
Michelle Terry, Public Member
Brenda Sharpe, Public Member

Staff Present in Person: 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
RaeAnn Byrd, Licensing Supervisor
Jill Simons, Executive Assistant

Quorum: A quorum was established.

Call to order: The Board meeting was called to order by Julianna Rieschick, RN, MSN, NEA-BC, Board President, at 9:15 a.m.

Review onsite packet: There was nothing for the onsite packet.

Add/Revise Agenda: There were no addition/revision to the agenda.

Announcement: J. Rieschick welcomed Amy Hite as a new member of the Board.

Minutes: The minutes from the June 11, 2024, board meeting were reviewed. It was moved to approve the minutes from the June 11, 2024, board meeting as written.
Motion #1 Sharpe/Terry Adopted UYVV.

Consent Item Agenda: 1. Renewal of Impaired Provider Contract

It was moved to approve Consent Item Agenda which included:
1. Renewal of Impaired Provider Contract
Motion #2 Burkhart/Oropeza Adopted UYVV.

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

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

R. Byrd reported to the Board. (See Report). It was consensus of the Board to accept the report.

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

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

Break: 10:42 a.m.

Open Session: 10:50 p.m.

CE Broker: Jason Grubb, Engagement Manager for CE Broker gave an update on CE Broker.

Committee Reports:

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

President Rieschick to Vice-President Watson

It was moved to approve the Consent Item Agenda which includes:

- a. 2024/2025 Site Visit schedule
- b. Petition Summary 5/12/24 through 8/12/24
- c. Draft regulation review approval K.A.R. 60-5-102, 60-5-103, and 60-6-101

Motion #3 Rieschick/Terry Adopted UYVV.

It was moved to accept the site visit report with recommendations for conditional approval of Mid-America College of Health Sciences, PN program, with a follow-up site visit in the spring of 2026.

Motion #4 Rieschick/Oropeza Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Mid-America College of Health Sciences, PN program, to increase the practical nursing program’s credit hours from 43-46 with credit hour

increases for IV therapy and pharmacology only. Motion #5 Rieschick/Burkhart Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Flint Hills Technical College, PN program, to remove NSG 207 Assessment (clinical) and remove NSG 208 Role Development (lecture).

Motion #6 Rieschick/Terry Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Wichita State University to add an additional 20 seats per year in the BSN traditional program on the Wichita Campus. Motion #7 Rieschick/Sharpe Adopted UYVV.

It was moved to approve the Major Curriculum Change Request from Johnson County Community College, ADN: LPN-RN Bridge Program to teach NURS 155 course (Transitional Concepts for the PN to RN role) in a hybrid format.

Motion #8 Rieschick/Hysten Adopted UYVV.

It was moved to approve the initial application from WSU Tech, for a Licensed Mental Health Technician Program with a site visit to occur before admitting students in fall of 2025. Motion #9 Rieschick/Hite Adopted UYVV.

It was moved to approve the initial application for a Licensed Mental Health Technician Program for Wichita State University.

Motion #10 Rieschick/Oropeza Adopted UYVV.

It was moved to approve the initial application for an ADN (LPN to RN bridge) program for Washburn University Institute of Technology with site visit prior to fall 2025.

Motion #11 Rieschick/Hysten Adopted UYVV.

Vice-President Watson to President Rieschick

Investigative Report: A. Gouldsmith, vice chairperson gave the Investigative Committee report. (See committee report) The Investigative Committee report was accepted by consensus of the Board.

CNE/IV Therapy Report: A. Watson, 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 approve the Consent Agenda which includes:

- 1. IOA Statistical Report

2. Single Providers Approved 5/24-8/24
3. Provider Relinquishments
4. K.A.R. 60-16-101, 60-16-103, 60-16-104 Final Comment Review Motion #12 Watson/Sharpe Adopted UYVV.

It was moved to approve the Long-Term Provider 5-year renewal application from Kansas Coalition Against Sexual and Domestic Violence, LT0291-0914.
Motion #13 Watson/Burkhart Adopted UYVV.

It was moved to approve the initial long-term provider application from Apple Tree CEU, LLC
Motion #14 Watson/Oropeza Adopted UYVV.

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

It was moved to approve the Consent Item Agenda which included:

1. APRN Programs approved for Licensure.
2. Final review:
 - a. K.A.R. 60-11-106 – Functions of the advanced practice registered nurse; nurse anesthetist
 - b. K.A.R. 60-13-102 – Approval procedures
 - c. K.A.R. 60-13-103 – School approval requirements
 - d. K.A.R. 60-13-104 – Exam approval
 - e. K.A.R. 60-13-110 – Reinstatement of authorization
 - f. K.A.R. 60-13-111 – Continuing education definitions
 - g. K.A.R. 60-13-112 – License renewal
 - h. K.A.R. 60-13-113 – Approval of registered nurse anesthetist continuing education

Motion #15 Oropeza/Terry Adopted UYVV.

Practice Report: M. Terry, vice 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 the Consent Item Agenda which included:

1. Practice Calls Report
- Motion #16 Terry/Oropeza Adopted UYVV.

It was moved after regulations review to approve the following:

- a. K.A.R. 60-3-108 – Expiration date initial
- b. K.A.R. 60-3-109a – Standards of practice
- c. K.A.R. 60-3-111 – Inactive license
- d. K.A.R. 60-3-112 – Exempt license

- e. K.A.R. 60-3-113 – Report of certain misdemeanor convictions
 - f. K.A.R. 60-3-114 – Completion of a refresher course
- Motion #17 Terry/Hite Adopted UYVV.

President Rieschick to Vice-President Watson

Finance Report: J. Rieschick chairperson gave the Finance Committee report. (See Committee Report) The Finance Committee report was accepted by consensus of the Board.

It was moved to approve the Consent Item Agenda which includes:

- 1. Review Final Comments:
 - a. K.A.R. 60-4-103 – Fees and travel expenses for school approval of continuing education providers
 - b. K.A.R. 60-8-101 – Schedule of fees
 - c. K.A.R. 60-11-119 – Payment of fees
 - d. K.A.R. 60-13-101 – Payment of fees
- Motion #18 Rieschick/Sharpe Adopted UYVV.

Lunch Break: 11:27 a.m.

Open Session: 12:15 p.m.

Executive Session: Pursuant to K.S.A. 75-4319(b)(2), I move that the Board recess into executive session for 30 minutes and reconvene at 12:46 p.m. The remote meeting will be reconvened by Zoom and in Room 509, Landon Office Building, 900 S.W. Jackson, Topeka, Kansas 66612 as stated in the notice of the meeting that was sent to individuals who requested the notice and as published on the Board’s website at: www.ksbn.kansas.gov.

The justification is consultation with the Board’s legal counsel, Assistant Attorneys General Charles Macheers and Rachel Kenney-Townsend that would be deemed privileged in the attorney-client relationship. The subject matter to be discussed in the executive session concerns legal issues related to internal procedures and statutory compliance. The Board’s Executive Administrator, Carol Moreland is included as the client.

Motion #19 Hysten/Gouldsmith Approved UYVV

Open session 12:46 p.m.

Unfinished Business:

Regulation Review Update: J. Rieschick reported on the regulation review status update.

KSBN Articles: C. Moreland reported on the KSBN Articles Revision update.

It was moved to approve the Kansas State Board of Nursing Articles as revised and presented.

Motion #20 Sharpe/Gouldsmith Approved UYVV

New Business:

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 2024 board meeting.

President: Julianna Rieschick nominated Andrea Watson for president. Nominations cease. It was moved to elect Andrea Watson as President. Motion #21 Rieschick/Gouldsmith Adopted UYVV. Watson abstained.

Vice President: Adri Gouldsmith nominated Michaela Hysten for vice president. Nominations cease. It was moved to elect Michaela Hysten as Vice President. Motion #22 Gouldsmith/Terry Adopted UYVV. Hysten abstained.

Secretary: Michaela Hysten nominated Michelle Terry for secretary. Nominations cease. It was moved to elect Michelle Terry as Secretary. Motion #23 Hysten/Sharpe Adopted UYVV. Terry abstained.

Annual Delegation Motions: It was moved that, pursuant to K.S.A. 2023 Supp. 77-527 of the Kansas Administrative Procedure Act, the Board designate and delegate to Andrea Watson 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 #24 Hysten/Sharpe Adopted UYVV

It was moved that, should Andrea Watson be unable to serve as agency head, the Board designate Michaela Hysten to serve as an alternate agency head and, in such circumstances, the Board delegate Michaela Hysten its authority pursuant to K.S.A. 2023 Supp. 77-527 of the Kansas Administrative Procedure Act to review, decide, and issue any orders concerning petitions for review, petitions for

reconsideration, and motions for stay filed with the Board and taking any other action related thereto until further action by the Board.

Motion #25 Hite/Gouldsmith Adopted UYVV

It was moved 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 #26 Sharpe/Gouldsmith Adopted UYVV

Subject to motion number 26 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 26, the Vice Chair of the Investigative Committee is so designated and delegated to act as described in motion number 26.

Motion #27 Terry/Hite Adopted UYVV

It was moved that the Board designate and delegate to the Chair of the Investigative Committee the Board's authority to:

(1) Issue to an applicant meeting the qualifications and requirements of the Kansas Nurse Practice Act and the Nurse Licensure Compact Act any license, certificate of qualification or authorization to practice nursing;

(2) Conduct hearings, enter into settlements, issue, and amend 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;

(4) Order Applicant(s) to complete evaluation by the Board's impaired provider committee, pursuant to K.S.A. 65-4924(a) and (d).

(5) 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 issue, and amend 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.

(6) Review and approve or deny an Applicant's request to receive accommodations while taking a Board approved Nurse Licensure Exam and/or the NCLEX exam.

Motion #28 Burkhart/Oropeza Adopted UYVV

Subject to motion number 28 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 28.

Motion #29 Hysten/Gouldsmith Adopted UYVV

Subject to motion number 28 regarding delegation of Applications and motion number 26 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, issue and amend 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) Order Licensee(s) to complete evaluation by the Board's impaired provider committee, pursuant to K.S.A. 65-4924(a) and (d).

(4) Act as Presiding Officer pursuant to K.S.A. 2018 Supp. 77-514(g) and 77-551(a) and (c) and amendments thereto, of the Kansas Administrative Procedures Act, to review, decide issue and amend 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 #30 Oropeza/Hite Adopted UYVV

It was moved 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, Vice Chair is designated and delegated as an alternate presiding officer of the Investigative Committee in that pending matter.

Motion #31 Watson/Burkhart Adopted UYVV

It was moved that the Board designate and delegate to the Chair of the Investigative Committee the Board's 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 licensee has violated or not complied with the Kansas Nurse Practice Act, or regulations adopted thereunder, for failing to submit to a mental or physical examination or an alcohol or drug screen, or any combination of these, when so ordered by the board pursuant to K.S.A. 65-4924, or failing to complete the requirements of the impaired provider program of the board, or for failing to meet the requirements of the Nurse Licensure Compact.

(2) Make a reasonable grounds determination pursuant to K.S.A. 65-1120(b), and amendments thereto, regarding licensees that are being investigated or have been investigated for failing to submit to a mental or physical examination or an alcohol or drug screen, or any combination of these, when so ordered by the board pursuant to K.S.A. 65-4924, or failing to complete the requirements of the impaired provider program of the board, or for failing to meet the requirements of the Nurse Licensure Compact; and

(3) 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 licensees that have been investigated for any alleged violation of or noncompliance with the Kansas Nurse Practice Act or regulations adopted thereunder; regarding the failure to submit to a mental or physical examination or an alcohol or drug screen, or any combination of these, when so ordered by the board pursuant to K.S.A. 65-4924, or failing to complete the requirements of the impaired provider program of the board, or for failing to meet the requirements of the Nurse Licensure Compact. 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.

(4) Make referrals, cause evaluations, or grant requests for restrictions pursuant to K.S.A. 65-4924.

(5) Review and approval/deny requests from the Board’s impaired provider committee to approve a change in a Licensee’s program participation or requirements for the program.

Motion #

Pursuant to K.S.A. 65-1120(b), K.S.A. 65-1166, K.S.A. 74-1106(d), It was moved the Board designate and delegate to the Executive Administrator the Board’s authority to request documents pursuant to any matter being investigated by the Board or their staff, including requests under the Privacy Act, 5 U.S.C. § 552a(b)(7).

Motion #32 Terry/Oropeza Adopted UYVV

Pursuant to K.S.A. 65-1126(b), K.S.A. 65-1166, K.S.A. 74-1106(d), I move the Board designate and delegate to the Executive Administrator the Board’s authority to request documents pursuant to any matter being investigated by the Board or their staff including requests under the Privacy Act, 5 U.S.C. § 55A(b)(7).

Motion #33 Oropeza/Sharpe Adopted UYVV

Break: 1:15 p.m.

Open Session: 1:20 p.m.

Pursuant to K.S.A. 75-4319(b)(2), It was moved that the Board recess into executive session for 40 minutes and reconvene at 2:01 p.m. The remote meeting will be reconvened by Zoom and in Room 509, Landon Office Building, 900 S.W. Jackson, Topeka, Kansas 66612 as stated in the notice of the meeting that was sent to individuals who requested the notice and as published on the Board’s website at: www.ksbn.kansas.gov.

The justification is consultation with the Board’s legal counsel, Assistant Attorneys General Charles Macheers and Rachel Kenney-Townsend that would be deemed privileged in the attorney-client relationship. The subject matter to be discussed in the executive session concerns legal issues related to internal procedures and statutory compliance. The Board’s Executive Administrator, Carol

Moreland, and Linda Davies, Practice Specialist are included as the client. Motion #34 Hysten/Watson Adopted UYVV

Open Session: 2:02 p.m.

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 #35 Oropenza/Burkhart Approved UYVV

Agenda for December 2024 Board:

- 1) September 11, 2024, Board minutes
- 2) Regulation Review Status Update
- 3) NCSBN Licensed Mental Health Technicians
- 4) Nurse Midwives

Adjourn: The Board meeting was adjourned at 2:08 p.m.

Andrea Watson, Board President

Date

Michelle Terry, Secretary

Date

Carol Moreland, Executive Administrator

Date