

**KANSAS STATE BOARD OF NURSING
LONDON STATE OFFICE BUILDING
5th Floor CONF ROOM D AND BOARD LIBRARY (ROOM 551-S)
INVESTIGATIVE COMMITTEE MINUTES
MAY 14, 2002**

COMMITTEE: Judith Hiner, RN, Chair
Kelly Arpin, LPN, Vice-Chair
Diane Okeson, RN,

STAFF: Diane Glynn
LaVonna Faulk, Temp.

Date: May 14, 2002, 5th Floor, Conference Room D
Time: 8:00 a.m.

- I. Call to order at 8:00 a.m.
 - A. Diane Okeson motioned to adjourn to executive session for privileged and confidential information review. Kelly Arpin seconded the motion. MSC. (Will break for lunch)
 - B. Adjournment at 12:45 p.m. for Education Forum.

- I. The Investigative Committee reconvened and Judith Hiner called the general session to order at 3:32 p.m. Committee members and staff were present.
- II. There were no on-site packets to review.
- III. There were five additions/revisions to agenda, Licensure Application Review, Address Changes, Policy and Procedure, Website References and House Bill #2817.
- IV. Minutes
 - A. Kelly Arpin made the motion to accept the minutes of February 18, 2002 as presented and Diane Okeson seconded the motion. MSC.
- V. No complaints or concerns had been brought to the committee's attention since the last board meeting.
- VI. Old Business
 - A. Unprofessional conduct regulation review.
 - 1. Judith Hiner asked if there were any additional changes. Diane Glynn suggested changing the title to Unprofessional Conduct Defined. Diane Okeson made the motion for approval of 60-3-110 with the following changes: (1) "c" adds non-therapeutic or inappropriate action ... toward a patient or a patient's family ... or mental distress; (2) and delete "v". Kelly Arpin seconded the motion. MSC.
 - B. 30 - day notification requirements for criminal convictions.

1. Diane Glynn has had no more responses to date. Out of the thirteen states that responded, none of them has a 30-day notification requirement. Diane Glynn will work on the draft language for the statute change.

VII. New Business

A. KNAP

1. Mary Carder from KNAP brought copies of their initial and extended evaluation contracts. Terri Roberts noted that the contract is a voluntary entry process. Terri Roberts questioned the criteria used by KNAP to enter licensees into the extended evaluation contract. Mary Carder explained that only KNAP staff can request an extended evaluation, and that at the end of six to twelve months the case will be closed if the client complies, but if there is another incident the licensee will go into the full program.

B. Peer review committees

1. Cost analysis - review of Board of Healing Arts process. Discussion on costs and need to track the bill from this legislative session, which would create committees for the Kansas State Board of Nursing.

C. Licensure Application

1. Review of questions regarding criminal history. The Committee examined LPN and RN applications, and felt the questions are clear. No changes were suggested. Note that Legislative Post Audit stated that all criminal history both felony and misdemeanors should be examined as this is a public safety issue. The student application process is quick; contact with committee chair decides most of the licensing issues.

D. Address changes

1. Thirty-day requirements are set out in KSA 65-1117(c). No need for changes or additions.

E. Policy & Procedure

1. Diane Okeson made a motion that CNE offers/requests for licensees that fail to respond result in automatic processing by staff to a call for hearing. Investigators are to give 14 calendar days to licensees to respond to the letter request. Kelly Arpin seconded the motion. MSC.

F. Website References – Announcement

1. HIPAA and confidentiality (CNE) available @ Western Schools

G. House Bill #2817

1. Mary Blubaugh reported on the Administrative Hearing Officer bill. It is still alive but has not been finalized in this legislative session. Proposed changes would occur in July of '03. Mary will continue to monitor this legislation.

VIII. Adjournment of general session

- A. Diane Okeson moved to adjourn the general session of the Investigative Committee at 5:00 p.m. Kelly Arpin seconded the motion. MSC.

Judith Hiner, RN, Chair