

Approved

**JOINT COMMITTEE MEETING OF THE
KANSAS STATE BOARD OF NURSING
AND THE
KANSAS STATE BOARD OF HEALING ARTS
December 7, 2007**

I. CALL TO ORDER

The Kansas State Board of Healing Arts (KSBHA) and the Kansas State Board of Nursing (KSBN) met at the KSBHA offices, 235 S. Topeka Blvd., Topeka, Kansas. The meeting was called to order at 10:07 a.m. by Judy Hiner, President, KSBN.

II. ANNOUNCEMENT OF AGENDA

Copies of the agenda were distributed to the participants.

III. WELCOME AND INTRODUCTIONS

The following members of the KSBHA were present and were introduced by Betty McBride, KSBHA President: Sue Ice, public member; Mark McCune, M.D.; Gary Counselman, D.C.; Nancy Welsh, M.D.; Myron Leinwetter, D.O.; and Roger Warren, M.D.

Ms. McBride also introduced the following staff members of the KSBHA who were present: Lawrence T. Buening, Jr., Executive Director ; Mark W. Stafford, General Counsel; Diane Bellquist, Assistant General Counsel; and Cathy Brown, Executive Assistant.

The following members of the KSBN were present and were introduced by Judy Hiner, KSBN President: Jane Conroy, RN, NP-C, ARNP; and Linda Goodwin, MSN, MBA, CNAA via telephone.

The following staff members of the KSBN were also present: Mary Blubaugh, Executive Administrator; Inge Reed, Sr. Administrative Assistant; Diane Glynn, Practice Specialist; Patty Brown, Education Specialist; and Adrian Guerrero, IT Manager.

IV. KSBN Proposed Advanced Registered Nurse Practitioner (ARNP) Regulations

Ms. Conroy reviewed the KSBN proposed regulations and stated that they are continuing to work on them. Ms. Conroy asked for input/comments from Mr. Stafford. The term “interdependent”, as used throughout the regulations, was discussed; there was a consensus that an ARNP may make nursing decisions independently, and make medical decisions based upon delegated authority.

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Marilyn Douglas, N.P. discussed the need for parallel collaboration between the ARNP and the supervising practitioner.

Mr. Stafford suggested modifying the proposed language of K.A.R. 60-11-101(a) to clarify that the regulations did not require the physician's personal presence when performing medical services, but the physician may make that requirement as a condition to delegation of authority. The suggested language is as follows: "this regulation shall not be construed to require the immediate or physical presence of the physician. . . ."

Regarding K.A.R. 60-11-104, Mr. Stafford suggested adding to the proposed language in the first sentence of subsection (a) after the phrase "diagnosis and management of acute and chronic diseases" the following: "when authorized by a collaborative practice agreement."

Regarding K.A.R. 60-11-105, Mr. Stafford suggested adding the phrase "when authorized by a collaborative practice agreement" to the end of subsection (f).

K.A.R. 60-11-104(b), 60-11-105(b), and 60-11-107(b) would allow the ARNP to develop the medical plan of care as authorized by the collaborative practice agreement. Mr. Stafford suggested that the statutory authority to prescribe is established by a protocol with a physician. The definitions should refer to the agreement using the language in the statute.

Ms. Conroy indicated the suggested changes would be appropriate.

V. KSBHA Article 28 Regulations

Mr. Stafford discussed whether it was still necessary for the KSBHA to move forward with our Article 28 supervision regulations. A discussion followed of chart review or what could be done in lieu of chart review to assure appropriate supervision. Mr. Stafford stated that the KSBHA wants to make any regulations workable and acceptable for both Boards and their licensees.

VI. Advanced Registered Nurse Practitioners vs. Physician Assistants (PA) Developing and Managing a Medical Plan of Care

No comments were made on this topic, other than those made as part of the discussion on the previous two topics.

VII. Evaluation of Regulation Regarding Prescriptions Written by Mid-Level Practitioners.

Debra Billingsley, Executive Secretary, Kansas Board of Pharmacy, discussed K.A.R. 68-7-14 and the interpretation of this regulation. Ms. Billingsley stated that other states in the U.S. do not require a supervising physician so they are wondering if the Pharmacy Board needs to amend its regulation to remove the requirement of including the name of the responsible practitioner for the PA or

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ARNP on the prescription label. She said that they currently do not have good compliance with the requirement.

Frank Whitchurch, RPh., Kansas Board of Pharmacy commented that he wanted the Boards to do what they feel is appropriate.

Terry Roberts, Kansas Nursing Association stated that they support eliminating the requirement of having the provider's name on the prescription.

Susan Hessel, a licensee with a private practice in psychotherapy, presented comments.

The Kansas Board of Nursing stated that they would be in favor of eliminating the provider's name from the prescription.

It was decided that this is a technical requirement that has not been previously discussed and would need to be further considered by both the KSBN and the KSBHA.

VIII. Fingerprint Bill

Mr. Buening stated that the Board has directed KSBHA staff to proceed to urge that the criminal background check and the fingerprint bill (SB #81) be enacted with current language intact.

Ms. Blubaugh stated that the KSBN also wants to continue to pursue passage of their criminal background check and fingerprint bill (SB #107) during the upcoming legislative session.

Mr. Buening and Ms. Blubaugh have discussed setting up a meeting with the committee chair to see what steps might be taken to obtain passage of these two bills.

IX. Adjournment

The meeting adjourned at 11:36 a.m.

Judith Hiner, Board President

Tamara Hutchison, Secretary

Mary Blubaugh, Executive Administrator
