

APPROVED

**Kansas State Board of Nursing  
Special Board Meeting  
Meet Me Conference Call Minutes  
February 9, 2009 @ 9:00 a.m.  
Board of Nursing Library, Room 1051**

Board Members Present: Jeanne Walsh, RN, MSN  
Janet Jacobs, LPN  
Jane Conroy, RN, NP-C, ARNP

Board Members on line: Tamara Hutchison, RN, BSN  
Bernard Becker, Public Member  
Janice McCart, RN, MSN  
Dinell Stuckey, Public Member  
Serena Stutzman, MSN, RN, ARNP-BC  
Mary Carol Pomatto, RN, ARNP, EdD  
Brenda Moffitt, CNS, ARNP  
Kimberly Milner, LPN

Staff Present: Mary Blubaugh, MSN, RN, Executive Administrator  
Diane Glynn, JD, RN, Practice Specialist  
Inge Reed, Administrative Specialist  
Mark Knight, Asst. Atty. General  
Kathleen Chalkley, LPN, Investigator  
Eva Curtis, RN, Investigator  
Karen Peschka, RN, Investigator  
Betty Stewart, RN, Investigator

Others Present: Janet Arndt, Asst. Atty. General  
Chris Tuck  
Nadine Chalman  
Brenda Nickel

Others on line: Nancy Whitson Don Ahrens  
Sarah Tidwell Steve Schwarm  
Judith Hiner Rebecca Rice  
Kim Clabaugh Tom McKibban  
Carolyn Middendorf Judy Schrock  
Deborah Stern, KHA Terri Roberts  
Dan Moran, KMS Janet Simpson  
Jan Fenske Doris Kimbrell  
Jerry Slaughter, KMS Sharon Bailey  
Cindy Galemore

Call to order: The Board meeting was called to order by Board President  
J. Walsh at 9:00 a.m. in the Board of Nursing Library.

Revisions to Agenda: Move the Attorney General Opinion to the end of the agenda.  
Move HB 2163 to after the Attorney General Opinion.

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K.A.R. 60-11-105:

M. Blubaugh discuss that when this regulation came back from the Attorney General's office it was unapproved because they felt that the deletion of the phrase "based on the authorization for collaborative practice" in subsection (d) makes it unclear what the health care services are referring to. It was consensus of the Board to keep all the ARNP regulations together. M. Blubaugh will work with the Attorney General's office to come up with a solution and then bring it back to the March Board meeting.

Proposed language change  
by KSNA to 65-1130:

KSNA is not going forward with the proposed change this year. KSNA is continuing to look at language and hope to have it introduced next year.

HB 2008:

C. Tuck spoke about this bill. A subcommittee met to draft some language that could possibly be added to the Board of Healing Arts act that would not mandate that practice but would allow epinephrine in a school setting under protocol. D. Glynn read sample proposed language. It was consensus of the Board to testify in favor of the bill.

Attorney General Opinion  
2009-4:

J. Arndt from the Attorney General's office discussed the opinion. The question was would an RNA be able to issue preoperative and postoperative orders for medications and diagnostic tests related to anesthesia or analgesia care, if the physician gave an order that allowed them to do that. The issue became the authority of the physicians to be able to delegate the issuance of those orders and the problem really comes in the statute that is under the Board of Healing Arts enacted several years ago under K.S.A. 2008 supplement 65-28, 127.

J. Arndt stated it was clear that they meant for the delegation provision to be very broad and give the physicians a lot of discretion. Unfortunately when they wrote it they used the phrase and authorized by law to perform. "And" is in the conjunctive which means that they not only have to be competent but they have to be legally authorized to do it. This means the only people they can delegate to, are people that are licensed to do the act, like another physician.

Discussion followed.

KMS and the Board of Healing Arts will be working together to write proposed language to get introduced.

It was consensus of the Board to leave the "statement regarding the practice of anesthesia and analgesia care by RNA" on the KSBN web page.

HB 2163:

Will not be going forward with this bill until other options are available.

