

## **201 KAR 20:362. Fines for schools of nursing.**

RELATES TO: KRS 314.111(4)

STATUTORY AUTHORITY: KRS 314.111(4), 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.131 authorizes the board to promulgate administrative regulations to implement KRS Chapter 314. KRS 314.111(4) authorizes the Board to fine a school of nursing that fails to comply with the requirements of the administrative regulations governing programs of nursing. This administrative regulation implements KRS 314.111(4).

### Section 1. Definitions.

(1) "Compliance issue" means a failure to comply with a requirement of 201 KAR 20:260 through 20:360.

(2) "Deficiency" means a failure to meet a standard set by 201 KAR 20:260 through 20:360.

Section 2.(1) A school of nursing is in violation of KRS 314.111(4) when it:

- (a) Receives notice of a deficiency or a compliance issue;
- (b) Is given the expectation of the board for correction;
- (c) Is given a date by which the correction is expected; and
- (d) Fails to make the correction by that date.

(2) A school of nursing shall comply with all deadlines set by 201 KAR 20:260 through 20:360. Failure to do so shall constitute a compliance issue.

Section 3. (1) The fine for a violation of KRS 314.111(4) shall be \$500 per day or a portion thereof.

(2) The board shall send notice of the amount due to the school of nursing.

(3) The school shall either:

(a) Remit the amount due within thirty (30) days; or

(b) Request an administrative hearing in accordance with KRS Chapter 13B to contest the fine.

(4) Failure to take either step shall subject the school of nursing to:

(a) A collection action in the court of competent jurisdiction; or

(b) An administrative hearing in accordance with KRS Chapter 13B to determine whether the school of nursing shall be closed. (45 Ky.R. 1854, 2597; eff. 3-13-2019.)