

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.)