

## BOARDS AND COMMISSIONS

### Board of Nursing

#### (Amendment)

#### **201 KAR 20:085. Licensure periods and miscellaneous requirements.**

RELATES TO: KRS 61.878, 314.041, 314.051, 314.071, 314.073

STATUTORY AUTHORITY: KRS 314.071, 314.131

NECESSITY, FUNCTION, AND CONFORMITY: KRS 314.071 requires the board to establish licensure periods for licenses issued by the board. This administrative regulation establishes the licensure periods. It also establishes miscellaneous requirements.

#### Section 1.

(1) A nursing license or credential issued during the first six (6) months of a licensure period shall expire at the end (October 31) of the current licensure period.

(2) A nursing license or credential issued during the last six (6) months of a licensure period shall expire at the end (October 31) of the succeeding licensure period.

Section 2. Licensure Periods. (1) The licensure period for all licenses and credentials, except for provisional, inactive, and retired status licenses, shall be for one (1) year beginning on November 1.

Section 3. For the purposes of the practice of nursing, a nurse shall use the name under which he or she is licensed with the board of nursing.

#### Section 4.

(1) A nurse shall provide the board with an electronic mail (email) address to receive communications from the board.

(2) This requirement shall also apply to dialysis technicians and certified professional midwives.

(3) The email address provided shall be exempt from disclosure pursuant to KRS 61.878(1)(a).

#### Section 5.

(1) A nurse shall provide the board with Workforce Data as part of their licensure renewal application under 201 KAR 20:370.

(2) The Workforce Data is collected for statistical purposes and shall be exempt from disclosure pursuant to KRS 61.878(1)(a).

*JESSICA WILSON, Board President*

APPROVED BY AGENCY: February 17, 2022.

FILED WITH LRC: March 9, 2022 at 9:15 a.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Monday, May 23, 2022, at 10:00 a.m. (EDT) in the office of the Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by Monday, May 16, 2022, five workdays prior to the hearing of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted

until end of day (11:59 p.m. EDT) Tuesday, May 31, 2022. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jeffrey R. Prather, General Counsel, Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, phone (502) 338-2851, email [Jeffrey.Prather@ky.gov](mailto:Jeffrey.Prather@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Jeffrey R. Prather**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

It sets the licensure period and also contains several miscellaneous requirements.

**(b) The necessity of this administrative regulation:**

It is required by statute.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

By setting the licensure application requirements.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

By setting the licensure application requirements.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

It adds a requirement that all renewing licensees provide the Board with workforce data.

**(b) The necessity of the amendment to this administrative regulation:**

To track workforce information to provide the Board with information regarding nurses in Kentucky.

**(c) How the amendment conforms to the content of the authorizing statutes:**

The intent of the statutes is to give the Board the authority to regulate nurses in Kentucky.

**(d) How the amendment will assist in the effective administration of the statutes:**

By providing relevant information regarding the workforce in Kentucky and employment trends.

**(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

Licensed Practical Nurses, Registered Nurses, and Advanced Practice Registered Nurses, approximately 90,000 licensees.

**(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:**

They will have to provide workforce data as part of their renewal applications, which will be exempt from open records.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):**

There is no anticipated cost.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

They will be in compliance with the regulation and the Board will have relevant information regarding workforce trends in Kentucky.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

No cost.

**(b) On a continuing basis:**

No cost.

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

General agency funds, to the extent funding is necessary.

**(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

No increase is necessary.

**(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees:**

It does not.

**(9) TIERING: Is tiering applied?**

Tiering was not applied as the changes apply to all equally.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

**(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?**

The Kentucky Board of Nursing.

**(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.**

KRS 314.131.

**(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.**

**(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?**

None

**(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?**

None

**(c) How much will it cost to administer this program for the first year?**

No additional cost.

**(d) How much will it cost to administer this program for subsequent years?**

No additional cost.

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Revenues (+/-):**

**Expenditures (+/-):**

**Other Explanation:**