BOARDS AND COMMISSIONS
Board of Nursing
(Amended at ARRS Committee)

201 KAR 20:056. Advanced practice registered nurse licensure and certification requirements.

RELATES TO: KRS 218A.205(3)(h), (8), 314.011, 314.042, 314.091, 314.103, 314.109, 314.161, 314.475

STATUTORY AUTHORITY: KRS 218A.205(3)(h), (8), 314.042, 314.103, 314.131(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 218A.205(3)(h) requires the board to establish by administrative regulation for licensees authorized to dispense or prescribe controlled substances the process for submitting a query on each applicant to the National Practitioner Data Bank. KRS 218A.205(8) requires the board to require for any applicant for an initial licensure that authorizes the prescribing or dispensing of controlled substances to complete a state and national criminal records check. KRS 314.131(1) authorizes the Board of Nursing to promulgate administrative regulations necessary to enable it to carry into effect the provisions of KRS Chapter 314. KRS 314.042 requires the licensure of an advanced practice registered nurse and authorizes the board to promulgate administrative regulations establishing licensing requirements. KRS 314.103 authorizes the board to require a criminal background investigation of an applicant or a nurse. This administrative regulation establishes the requirements for licensure, renewal, and reinstatement, education, and recognition of a national certifying organization.

Section 1. An applicant for licensure as an advanced practice registered nurse in Kentucky shall:

(1)

(a) Complete an Application for Licensure as an Advanced Practice Registered Nurse as required by 201 KAR 20:370, Section 1(1);

(b) Provide a copy of a current active registered nurse license or validation of registered nurse licensure if the state of licensure does not issue licensure cards;

(c) Submit the fee required by 201 KAR 20:240, Section 1(2)(j); and

(d) Comply with the requirements established in KRS 314.042 and this administrative regulation.

(2) If the applicant is applying only for a license as an advanced practice registered nurse, the applicant shall also:

(a) Provide a criminal record check by the Department of Kentucky State Police (KSP) and the Federal Bureau of Investigation (FBI);

(b) Use the FBI Applicant Fingerprint Card;

(c) Pay any required fee to the KSP and the FBI;

(d) Complete the criminal record check within six (6) months of the date of the application; and

(e) If there are any misdemeanor or felony convictions, provide:

1. A certified or attested copy of the court record as required by 201 KAR 20:370, Section 1(3); and

2. A letter of explanation that addresses each conviction.

(3) An applicant shall not be licensed until:

(a) A report is received from the FBI pursuant to the request submitted under subsection (2) of this section and any conviction is addressed by the board; and

(b) A query is completed to the board's reporting agent to the National Practitioner Data Bank of the United States Department of Health and Human Services pursuant to KRS 218A.205(3)(h) and any relevant data on the applicant is received.

(4) An applicant shall provide evidence of completion of the jurisprudence examination required by KRS 314.042(1)(d).

Section 2. Education and Clinical Experience.

(1) An applicant for licensure as an advanced practice registered nurse shall complete an accredited education program that prepares a registered nurse for one (1) of the four (4) APRN roles established under Section 13(5) of this administrative regulation and clinical experience. This program shall conform to 201 KAR 20:062 or its substantial equivalence if from an out of state program.

(2)

(a) If the applicant for licensure as an advanced practice registered nurse completed a program of study after January 1, 2005, the applicant shall hold a master's degree, doctorate, or postmaster's certificate awarding academic credit by a college or university related to the advanced practice registered nurse designation.

(b) If the applicant for licensure as an advanced practice registered nurse completed a program of study before January 1, 2005, the program shall be evaluated by the board on an individual basis to find if the program sufficiently prepares a student for advanced practice registered nursing by complying with the requirements of 201 KAR 20:062.

Section 3. National Certifying Organizations.

(1) A nationally established organization or agency that certifies registered nurses for advanced practice registered nursing shall be recognized by the board if it meets the following criteria:

(a) The certifying body is an established national nursing organization or a subdivision of this type of organization;

(b) Eligibility requirements for certification are delineated;

(c) Certification is offered in a role as established in KRS 314.042(6)(a) and in a population focus as defined by KRS 314.011 and with primary or acute care competencies;

(d) Scope and standards of practice statements are promulgated;

(e) Mechanism for determining continuing competency is established; and

(f) The certifying body is accredited by the American Board of Nursing Specialties or the National Commission for Certifying Agencies.

(2) The board recognizes the following national certifying organizations:

(a) American Nurses Credentialing Center;

(b) American Midwifery Certification Board;

(c) National Board of Certification and Recertification for Nurse Anesthetists;

(d) Pediatric Nursing Certification Board;

(e) National Certification Corporation;

(f) American Academy of Nurse Practitioners Certification Board; and

(g) American Association of Critical-Care Nurses Certification Corporation.

(3) The board recognizes the Oncology Nursing Certification Corporation only for an individual who has received certification prior to December 15, 2010, and who has continually renewed his or her Kentucky advanced practice registered nurse license since that date.

Section 4. Practice Pending Licensure.

(1) A registered nurse who meets all of the requirements for practice as an advanced practice registered nurse, and who holds a registered nurse temporary work permit issued pursuant to 201 KAR 20:110 pending licensure by endorsement or a privilege to practice as a registered nurse, shall be authorized to practice as an advanced practice registered nurse for a period of time not to exceed the expiration date of the temporary work permit.

(2) Authorization to practice pursuant to this section shall be in the form of a letter from the board acknowledging that the applicant has met all the requirements of this section. An applicant shall not practice until the authorization letter has been issued.
(3) An individual authorized to practice pursuant to subsection (1) of this section may use the title "advanced practice registered nurse" or "APRN".

Section 5. Provisional License.
(1) An applicant who meets the requirements of KRS 314.042(2) may request a provisional license by completing the application for licensure required by Section 1 of this administrative regulation.
(2)
(a) The board shall issue the provisional license to the applicant after the requirements of Section 1 of this administrative regulation are met.
(b) In the case of a graduate of a foreign nursing school, the board shall issue the provisional license after the requirements of 201 KAR 20:480 are met.
(3) The applicant shall not prescribe medications and shall only practice under a mentorship with an advanced practice registered nurse or a physician.
(a) To qualify as a mentorship pursuant to KRS 314.042(3), the APRN or physician responsible for the applicant shall be physically present and immediately available to the applicant during work hours while the applicant holds a provisional license; and
(b) The APRN or physician mentoring the applicant shall be currently licensed in Kentucky.
(4) Upon notification to the board that the applicant has failed the national certification exam after two (2) attempts, the provisional license shall be voided. The applicant shall:
(a) Notify the board within forty-eight (48) hours; and
(b) Cease practicing under the provisional license provided by this section.
(5) An individual authorized to practice pursuant to subsection (1) of this section may use the title "advanced practice registered nurse applicant" or "APRNA".
(6) A provisional license shall be valid for a period not to exceed six (6) months.

Section 6. License Renewal.
(1) The advanced practice registered nurse license shall expire or lapse when the registered nurse license or privilege expires or lapses.
(2) To be eligible for renewal of the license as an advanced practice registered nurse, the applicant shall:
(a) Renew the registered nurse license or privilege on an active status;
(b) Submit a completed Annual Licensure Renewal Application: RN and APRN or a completed Annual Licensure Renewal Application: APRN with RN Compact License (not Kentucky) form, as applicable, and as required by 201 KAR 20:370, Section 1(1);
(c) Submit the current renewal application fee, as established in 201 KAR 20:240, Section 1(2)(k); and
(d) Maintain current certification by a recognized national certifying organization.
(3) An advanced practice registered nurse who fails to renew the registered nurse license or privilege or is otherwise unable to legally practice as a registered nurse shall not practice as or use the title of advanced practice registered nurse until:
(a) A current active license has been issued by the board or a privilege is recognized by the board; and
(b) The advanced practice registered nurse license has been reinstated.
(4) An advanced practice registered nurse shall provide to the board evidence of current certification by a recognized national certifying organization upon recertification or at the request of the board.

Section 7. License Reinstatement.

(1) If a nurse fails to renew the advanced practice registered nurse license as prescribed by KRS 314.042 and this administrative regulation, the license shall lapse on the last day of the licensure period.

(2) To be eligible for reinstatement of the advanced practice registered nurse license, the applicant shall:

(a) Submit a completed Application for Licensure as an Advanced Practice Registered Nurse form as required by 201 KAR 20:370, Section 1(1);

(b) Submit the current reinstatement application fee, as established in 201 KAR 20:240, Section 1(2)(l); and

(c) Maintain and submit evidence of current certification by a recognized national certifying organization.

(3) If the applicant is applying for reinstatement of a license as an advanced practice registered nurse, the applicant shall also:

(a) Provide a criminal record check by the KSP and the FBI;

(b) Use the FBI Applicant Fingerprint Card;

(c) Pay any required fee to the KSP and the FBI;

(d) Complete the criminal record check within six (6) months of the date of the application; and

(e) If there are any misdemeanor or felony convictions, provide:

1. A certified or attested copy of the court record of any misdemeanor or felony conviction as required by 201 KAR 20:370, Section 1(3); and

2. A letter of explanation that addresses each conviction, if applicable.

(4) The license shall not be issued until a report is received from the FBI and any conviction is addressed by the board.

Section 8. Certification or Recertification.

(1)

(a) An advanced practice registered nurse (APRN) shall maintain current certification or recertification from one (1) of the national organizations recognized in Section 3 of this administrative regulation throughout the licensure period.

(b) The APRN shall notify the board if current certification or recertification has been obtained and provide evidence of the certification or recertification prior to the expiration date.

(2)

(a) A nurse who fails to attain current, active certification or recertification from one (1) of the national organizations recognized in Section 3 of this administrative regulation shall not practice or use the title of advanced practice registered nurse (APRN) until current certification or recertification is obtained.

(b)

1. An APRN who does not provide evidence of current certification or recertification prior to its expiration date shall have the APRN license voided. This action shall not be considered to be a disciplinary action. The board shall send written notice to the APRN if the license has been voided.

2. The APRN may request a hearing on this action by submitting the request in writing. If a hearing is requested and the order of the board is adverse to the APRN, the board may impose the costs pursuant to 201 KAR 20:162, Section 7. If the action is upheld or not challenged, the APRN may seek reinstatement of the license in accordance with Section 7 of this administrative regulation, except as provided in subparagraph 3 of this paragraph.

3. If, after the APRN license has been voided, the APRN provides evidence of current certification acquired before the certification expiration date and there are no complaints pending against the APRN pursuant to 201 KAR 20:161 that indicate

that reinstatement would create an immediate danger to the public health, safety, or welfare, then the APRN shall meet the requirements of Section 7 of this administrative regulation except for Section 7(4) of this administrative regulation. A license may be issued prior to receipt of the FBI report in such cases.

(3) An advanced practice registered nurse whose certification lapses or is not renewed by the appropriate national organization shall:

(a) Notify the board of that fact; and

(b) Not practice as or use the title of advanced practice registered nurse during the period of decertification.

Section 9.

(1) An application shall be valid for a period of one (1) year from the date of submission to the board.

(2) After one (1) year from the date of application, the applicant shall be required to reapply.

Section 10. The requirements of this administrative regulation shall not prohibit the supervised practice of a nurse enrolled in:

(1) An accredited educational program for preparation for advanced practice registered nursing; or

(2) An advanced practice registered nurse refresher course.

Section 11. A registered nurse who holds himself or herself out as a clinical nurse specialist or is known as a clinical nurse specialist shall be required to be licensed as an advanced practice registered nurse if his or her practice includes the performance of advanced practice registered nursing.

Section 12. A nurse practicing as an advanced practice registered nurse who is not licensed as an advanced practice registered nurse by the board, an advanced practice registered nurse whose practice is inconsistent with the population focus to which he or she has been designated, or an advanced practice registered nurse who does not recertify and continues to practice as an advanced practice registered nurse shall be subject to the disciplinary procedures established in KRS 314.091.

Section 13. Dual Designations.

(1) An advanced practice registered nurse who wishes to practice in more than one (1) role designation shall complete an accredited educational program of study and clinical experience for each desired designation in compliance with the educational requirements established in KRS Chapter 314 and 201 KAR 20:062 and meet all the requirements for licensure for each designation.

(2) To apply for licensure for more than one (1) role designation, the applicant shall submit a separate application and fee for each desired designation.

(3) To renew each role designation, the APRN shall pay a separate licensure fee as set forth in 201 KAR 20:240, Section 1(2)(k).

(4) For the purposes of Section 8(2)(b) of this administrative regulation, if the APRN does not provide evidence of current recertification in a role designation, then that role designation shall be voided. The license shall not be voided if the other role designation is maintained. All other provisions of Section 8(2)(b) of this administrative regulation shall apply to the voided designation.

(5) Role designations shall be the Certified Registered Nurse Anesthetist, Certified Nurse Midwife, Certified Nurse Practitioner, and Clinical Nurse Specialist pursuant to KRS 314.042.

(6 Ky.R. 651; 7 Ky.R. 309; eff. 11-6-1980; 9 Ky.R. 1027; eff. 4-6-1986; 11 Ky.R. 1445; eff. 5-14-1985; 12 Ky.R. 1523; eff. 4-17-1986; 18 Ky.R. 331; 997; eff. 9-24-1991; 19 Ky.R.

2664; 20 Ky.R. 302; eff. 8-6-1993; 3216; eff. 8-4-1994; 24 Ky.R. 2421; 25 Ky.R. 60; eff. 7-9-1998; 27 Ky.R. 817; 1246; eff. 11-17-2000; 29 Ky.R. 2118; 2448; eff. 4-11-2003; 30 Ky.R. 2544; 31 Ky.R. 337; eff. 8-24-2004; 32 Ky.R. 283; eff. 10-19-2005; 33 Ky.R. 509; 1067; eff. 10-18-2006; 34 Ky.R. 1781; 2182; eff. 5-2-2008; 35 Ky.R. 2787; eff. 8-12-2009; 37 Ky.R. 419; 1215; eff. 12-15-2010; 2043; eff. 5-6-2011; 2892; 38 Ky.R. 235; eff. 8-17-2011; 38 Ky.R. 1358; 1547; eff. 3-21-2012; 39 Ky.R. 533; 1383; eff. 2-1-2013; 40 Ky.R. 1323; 1705; eff. 2-19-2014; 2596; 41 Ky.R. 17; eff. 8-1-2014; 42 Ky.R. 480; 1133; eff. 11-6-2015; 43 Ky.R. 1799, 2125; eff. 6-21-2017; 44 Ky.R. 2237, 2473; eff. 6-20-2018; 45 Ky.R. 1733, 2702; eff. 3-13-2019; 50 Ky.R. 859; eff. 1-18-2024; 51 Ky.R. 371, 872; eff. 11-18-2024.)

FILED WITH LRC: October 15, 2024

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