314.131 Board meetings -- Administrative regulations -- Officers -- Quorum -- Duties -- Executive director -- Compensation of members -- Liability insurance -- Expunging of disciplinary action records.

(1) The board shall meet at least annually and shall elect from its members a president and any other officers that it deems necessary. Nine members of the board including one (1) officer shall constitute a quorum at any meeting. The board is authorized to promulgate administrative regulations not inconsistent with the law and subject to the provisions of KRS Chapter 13A, as may be necessary to enable it to carry into effect the provisions of this chapter. The board may require, by administrative regulation, that licensees and applicants utilize a specific method of submission of documents or information that is required to be provided to the board under this chapter and the administrative regulations of the board, including electronic submission.

(2) The board shall approve programs of nursing and shall monitor compliance with standards for nurse competency under this chapter. It shall examine, license, and renew the license of duly-qualified applicants; determine notice of place and time of licensure examinations; approve providers of continuing education; administer continuing education requirements; issue advisory opinions or declaratory rulings dealing with the practice of nursing; register and designate those persons qualified to engage in advanced nursing practice; and it shall conduct administrative hearings in accordance with KRS Chapter 13B upon charges calling for discipline of a licensee and cause the prosecution of all persons violating any provisions of this chapter. It shall keep a record of all its proceedings and make an annual report to the Governor.

(3) The board shall develop specific guidelines to follow upon receipt of an allegation of sexual misconduct by a nurse licensed by the board. The guidelines shall include investigation, inquiry, and hearing procedures which ensure that the process does not revictimize the alleged victim or cause harm if a nurse is falsely accused.

(4) The board and investigators hired by the board shall receive training on the dynamics of sexual misconduct of professionals, including the nature of this abuse of authority, characteristics of the offender, the impact on the victim, the possibility and the impact of false accusations, investigative procedure in sex offense cases, and effective intervention with victims and offenders.

(5) The board shall employ a qualified person to serve as executive director to the board, and shall fix the compensation and define the duties of the executive director. It may employ other persons as may be necessary to carry on the work of the board.

(6) The executive director shall have at least the qualifications for board members, and a master's degree in nursing or equivalent and shall have had at least two (2) years of experience in nursing administration immediately preceding the time of appointment.

(7) Each member of the board shall receive, in addition to traveling, hotel, and other necessary expenses, one hundred fifty dollars ($150) for each day the member is actually engaged in the discharge of official duties.

(8) The board may, in its discretion, purchase liability insurance for board and staff members against acts performed in good faith discharge of duties.

(9) The board may, by administrative regulation issued pursuant to the provisions of KRS Chapter 13A, determine which disciplinary action records may be expunged. Any records which are expunged shall be exempt from disclosure under the Kentucky Open Records Law, KRS 61.870 to 61.884. The board shall not report its disciplinary actions for any purpose other than statistical.

(10) The board may reimburse any person appointed by direction of the board to any committee, subcommittee, or task force created by the board for his or her travel and subsistence expenses as established through the promulgation of administrative regulations in accordance with KRS Chapter 13A.

Effective: June 29, 2021

History: Amended 2021 Ky. Acts ch. 119, sec. 4, effective June 29, 2021. -- Amended 2000 Ky. Acts ch. 391, sec. 19, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 26. sec. 6, effective July 15, 1996; and ch. 318, sec. 265, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 265, sec. 7, effective July 15, 1994; ch. 367, sec. 11, effective July 15, 1994; and ch. 470, sec. 7, effective July 15, 1994. -- Amended 1986 Ky. Acts ch. 346, sec. 7, effective July 15, 1986. -- Amended 1982 Ky. Acts ch. 408, sec. 11, effective July 15, 1982. -- Amended 1978 Ky. Acts ch. 168, sec. 12, effective June 17, 1978. -- Created 1966 Ky. Acts ch. 20, sec. 5.

Legislative Research Commission Note (7/15/94). This statute was amended by 1994 Ky. Acts chs. 265 and 470, which were companion bills and are substantively identical. These Acts have been codified together. For the few minor variations between the Acts, Acts ch. 470 prevails under KRS 446.250, as the Act which passed the General Assembly last. 1994 Ky. Acts ch. 367, sec. 11 is not in conflict with these two Acts and has been codified together with them.