

502-429-3300
800-305-2042
Fax: 502-429-3353

KENTUCKY BOARD OF NURSING
312 Whittington Parkway, Suite 300
Louisville, Kentucky 40222-5172
kbn.ky.gov

Andy Beshear
Governor

MEMORANDUM

TO: All Licensees and Applicants for Licensure

FROM: Kentucky Board of Nursing

RE: Modification of 201 KAR 20:056 to Allow Path to Licensure for APRN Applicants During COVID19 State of Emergency

DATE: April 17, 2020

The Governor signed Executive Order 2020-243 on March 18, 2020, and Executive Order 2020-257 on March 25, 2020, in regard to the COVID19 State of Emergency. On March 30, 2020, the Governor signed Senate Bill 150 (2020) into law. Section 13 of this bill and these Executive Orders authorize the Kentucky Board of Nursing to modify statutory and regulatory provisions, where appropriate, to eliminate barriers to licensure caused by social distancing requirements and to ensure the continuation of Board support of Life-Sustaining Businesses. Consistent with this authority, on April 16, 2020, the Kentucky Board of Nursing has temporarily modified 201 KAR 20:056 as follows, for the duration of the COVID19 State of Emergency.

Section 4 of 201 KAR 20:056 (APRN Practice Pending Licensure) is hereby modified, for purposes of enforcement during the COVID19 State of Emergency, as follows.

(1) Applicants for APRN licensure by reinstatement, APRN licensure by endorsement, or initial APRN licensure in Kentucky who meet all requirements for practice as an advanced practice registered nurse, other than FBI Applicant Fingerprint processes, a resultant criminal background report, or proof of certification by a National Certifying Organization A registered nurse who meets all 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 issued an advanced practice registered nurse temporary work

permit, and shall be authorized to practice as an advanced practice registered nurse APRN Applicant for a period of time not to exceed the expiration date of the temporary work permit, subject to the limitations set forth in this section.

(2) Authorization to practice as an APRN Applicant shall be in the form of a letter from the board acknowledging that the applicant has met all the requirements for the issuance of a temporary work permit of this section. An applicant shall not practice until the authorization letter has been issued. The authorization letter issued to an applicant for initial licensure, meaning an applicant who has never before held an APRN license, shall specify that the APRN Applicant must practice as an APRN Applicant with another APRN, or an MD, with an active license who is physically present in the facility and immediately available to the APRN Applicant during work hours.

(3) An individual authorized to practice pursuant to subsection (1) of this section may use the title "APRN Applicant" or "APRN App."

Section 6(4) of 201 KAR 20:056 (APRN License Reinstatement) is hereby modified, for purposes of enforcement during the COVID19 State of Emergency, as follows:

(4) The license shall not be issued until a report is received from the FBI and any conviction is addressed by the board; however, a temporary work permit may be issued to the applicant in accordance with Section 4 of this regulation.

Section 11 of 201 KAR 20:056 is hereby modified, for purposes of enforcement during the COVID19 State of Emergency, as follows:

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, an advanced practice registered nurse who does not recertify and continues to practice as an advanced practice registered nurse, or an advanced practice registered nurse applicant who practices in contravention of a limitation specified in Section 4 of this regulation shall be subject to the disciplinary procedures established in KRS 314.091.

The temporary work permit shall expire six (6) months from the date of issuance; however, if the COVID19 State of Emergency is ongoing six (6) months from now, the temporary work permit may be extended for an additional six (6) months. Also, as the cessation of the COVID19 State of Emergency will likely occur unexpectedly, a thirty (30) day grace period will be granted upon notification of the cessation of the State of Emergency. A fingerprint card/scan, FBI report, and

proof of certification from a national certifying body will still will be required as a condition of full
APRN licensure pursuant to: 201 KAR 20:056.



Dina Byers, APRN
President
Kentucky Board of Nursing
Dated: April 17, 2020



J. Michael Brown
Secretary of the Executive Cabinet
Commonwealth of Kentucky
Dated: April 20, 2020