COMMONWEALTH OF KENTUCKY
OFFICE OF THE GOVERNOR

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GOVERNOR

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ORDER

March 31, 2020

On March 6, 2020, Governor Andy Beshear signed Executive Order 2020-215, declaring a State of Emergency in the Commonwealth due to the outbreak of novel coronavirus (COVID-19), a public health emergency. Pursuant to the State of Emergency, the Governor issued multiple Orders to exercise all powers necessary to promote and secure the safety and protection of the civilian population, including the power to suspend state statutes and regulations, and to command individuals to disperse from the scene of an emergency, including, but not limited to, Executive Orders 2020-243 and 2020-257.

On March 24, 2020, the Secretary of the United States Department of Health and Human Services directed that States may be able to modify scope of practice requirements through the Governor's emergency powers or in accordance with the state emergency management laws to temporarily suspend certain scope of practice requirements, including any requirements for written supervision or collaboration agreements.

Therefore, pursuant to the authority granted me under Executive Orders 2020-243 and 2020-257, as the Secretary of the Governor's Executive Cabinet under KRS to 11.065, to prevent the spread of COVID-19 in the Commonwealth and to ensure the necessary healthcare professionals are available to treat Kentuckians, including by telehealth, I order as follows:

1. During the State of Emergency under Executive Order 2020-215, KRS 314.042(8), KRS 314.042(10), and 201 KAR 20:057, Section 7 are suspended. These statutes and the regulation require that Advanced Practice Registered Nurses (APRNs) have collaborative agreements with physicians as a prerequisite for the prescribing of legend drugs and controlled substances within the Commonwealth. KRS 314.101(1)(a, e) and the Good Samaritan Act of 2007, KRS 39A.350-366, authorize APRNs licensed to practice in other states to provide medical care to patients in Kentucky during the current state of emergency.

2. The suspension of KRS 314.042(8), KRS 314.042(10), and 201 KAR 20:057, Section 7 removes significant barriers to practice for Kentucky APRNs and APRNs licensed in other states who are among the at least 912 nurses who have applied to be listed on a registry of out-of-state licensees approved to practice nursing at healthcare facilities

licensed by the Kentucky Cabinet for Health and Family Services or which are otherwise approved by the Cabinet to provide patient care within the Commonwealth during the current State of Emergency.

This Order shall be in effect for the duration of the State of Emergency under Executive Order 2020-215, or until this Order is rescinded by further operation of law.

J. Michael Brown
Secretary
Governor's Executive Cabinet