

Agenda Item # 7.



STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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BOARD MEETING MINUTES

FEBRUARY 18, 2010

LOS ANGELES, CALIFORNIA

BOARD MEMBERS

PRESENT:

John Vertido, L.V.N. Educator Member, President
Todd D'Braunstein, P.T. Member, Vice President
Kevin Baucom, P.T. Member
Ling-Ling Chang, Public Member
Victor King, Public Member
Jessica Leavitt, Public Member

STAFF PRESENT:

Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer
Cheryl Anderson, Supervising Nursing Education Consultant
Angelina Martin, Enforcement Division Chief
Lynne Shively, Licensing and Administration Manager
Linda Ruyters, Administrative Analyst
Mark Ito, Licensing Program Analyst
Jason Reinhardt, Administrative Secretary
Laura Freedman-Eidson, Legal Counsel, Department of Consumer Affairs

1. CALL TO ORDER

The meeting was called to order by the President, John Vertido, at 9:01 a.m., February 18, 2010, at the Radisson Los Angeles Airport, 6225 West Century Blvd., Los Angeles, California.

2. INTRODUCTION OF BOARD MEMBERS AND STAFF

The Board Members introduced themselves. Teresa Bello-Jones, Executive Officer (EO), introduced the staff present. John Vertido introduced Brian Stiger, Director of the Department of Consumer Affairs (DCA).

3. ELECTION OF BOARD OFFICERS

The EO called for the election of the Board President.

M – Kevin Baucom; S – Jessica Leavitt; and carried unanimously to elect John Vertido as Board President.

John Vertido called for the election of the Board Vice-President.

M – Jessica Leavitt: S – Victor King; and carried unanimously to elect Todd D’Braunstein as Board Vice-President.

John Vertido thanked the Board for electing him as President.

Todd D’Braunstein thanked the Board for electing him as Vice-President.

4. INTRODUCTION OF ACCREDITED AND APPROVED SCHOOLS REPRESENTED AT MEETING

Annenburg School of Nursing, Reseda
Antelope Valley Career Academy
California Nurses Educational Institute
Career Networks Institute
Chaffey College
Coast Health Career College
Four D College, Colton

Four D College, Victorville
Gurnick Academy of Medical Arts
Los Angeles Unified School District
Medical Career College
Mt. San Antonio College
Professional Medical Career Institute

5. BOARD PRESIDENT’S MESSAGE

The Board President read a special notice addressing the Board’s legal mandate and procedure to have an issue placed on the Board Meeting agenda. He announced that public comment is welcome on any open agenda item prior to the Board’s discussion. However, the Board may limit the length of time allowed for comment.

The Board President announced that a list of disciplinary actions taken against licensees and applicants is published and distributed to all interested parties on June 30th and December 31st each year. Interested parties were advised to contact Board staff or submit a request in writing to the Board to obtain a copy of this list.

6. EXECUTIVE OFFICER’S REPORT

Board Member Update

There are currently four vacant board member positions – two Licensed Vocational Nurses and two public members. Two new board members were appointed on February 16, 2010.

Budget Update

Governor Arnold Schwarzenegger released his proposed budget on January 8, 2010. The proposal included a 5% permanent wage reduction to all state employees, as well as a requirement that employees contribute an additional 5% into their pensions in order to reduce the burden to the general fund. In addition, State agencies were asked to find and maintain 5% salary savings for Fiscal Year 2010/11.

DCA Updates

- Professionals Achieving Consumer Trust (PACT) – The DCA will be holding another PACT Summit on July 26-30, 2010. The Board will hold its Disciplinary Hearings and Regular Board Meeting on July 28-29, 2010.
- Paul Riches was appointed DCA Deputy Director, Enforcement and Compliance, effective November 17, 2009.
- Bill Young was appointed DCA Chief Deputy Director effective November 23, 2009.
- Kimberly Kirchmeyer was appointed DCA Deputy Director, Board and Bureau Relations, effective November 24, 2009.

Education Program Update

- The Board currently has 209 accredited and approved Vocational Nursing (VN) Programs and 16 accredited and approved Psychiatric Technician (PT) programs.
- Due to the 100% vacancy rate of nursing consultant staff and the Executive Order S-13-09 requiring three furlough days per month, the Board cannot project the length of time to review new proposals.

Examination Update

- The average annual pass rate for California first-time VN candidates was 75%, while the overall pass rate for VN candidates was 56%. The average annual pass rate for first-time PT candidates was 83%, while the overall pass rate for PT candidates was 64%.
- On January 26, 2010, the Board and the Office of Professional Examination Services convened the 2010 PT Item Development Conference. The overall purpose of the conference was the development of quality examination items consistent with the needs of the item bank and occupational analysis.

Liaison Activities

- On October 3, 2009, the Board President was the commencement speaker at the Western Career College graduation.
- On October 16-17, 2009, the Board President was a keynote speaker at the California VN Educators Fall Conference. He provided an update of the Board's administrative, licensing, education, and enforcement divisions.

Customer Service Surveys

The EO announced that the Board is distributing "Customer Service Surveys" to solicit feedback regarding how it is accomplishing its mission and goals. The information is used to develop the Board's Strategic Plan and included in the Board's Sunset Review Reports.

Public Comment:

Brian Stiger, DCA Director, commented that the main concern for the DCA is the budget and how to achieve 5% salary savings without resorting to layoffs.

Mr. Stiger announced that Jack Hagan was appointed DCA Chief of the Division of Investigation(DOI), effective March 4, 2010.

7. CONSENT CALENDAR ITEM

Adoption of October 7, 2009, Board Meeting Minutes.

M – Kevin Baucom; and S – Jessica Leavitt; and carried 4-0-2 to adopt the Board Meeting Minutes. Ling-Ling Chang and Victor King abstained from voting.

8. REPORT ON DECISIONS FOR VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIAN PROGRAMS

The EO reported on decisions for VN and PT Programs.

9. PRESENTATION OF 2009 ANNUAL REPORT

The EO presented the 2009 Annual Report.

10. PRESENTATION OF 2010 BOARD GOALS

The EO presented the 2010 Board Goals.

Recommendation:

The Board adopt the 2010 Board Goals.

Public Comment:

Tomas Corolla, Vice-President of College of Information Technology, commented on the Board's Legislative Goal to obtain sole authority to determine VN and PT scopes of practice. Mr. Corolla is concerned that the Board will be unable to manage this authority, given the backlogs and lack of staff the Board is currently facing. Mr. Corolla is concerned that the Board will be slow in responding to requests for information from schools and students. The EO responded that the Board will be seeking this statutory change to clarify for the public that only the Board has authority to determine the scopes of practice for its licensees.

Dr. Ike Muonekwu asked how the Board is planning to fill the board member vacancies. The EO responded that this is under the purview of the Governor's Office, the Senate Pro-Tempore, and the Speaker of the Assembly. Brian Stiger, DCA Director, commented that the DCA is working closely with the Governor's Office of Appointments to ensure that the Boards are fully staffed.

Tricia Hunter, Executive Director of the American Nurses Association (ANA), stated that since the Board does not have sole-discretion on how it spends its money, the ANA is concerned that this money would go unused and be diverted to the General Fund.

The Board received comments from Jay Murvine, owner of Summit Career College; Larisa Rezvina, Director of Gurnick Academy for Medical Arts; and Vijayakumari Bhaskar, Director of Career Networks Institute, all supporting the Board's goal to raise the statutory fee ranges.

Board Discussion:

Ling-Ling Chang does not feel that the Board should have a goal to raise statutory fee ranges, given the current economy. The President responded that the statutory fee range changes are necessary for the Board to be able to raise fees as needed in the future in order to remain solvent. He added that these fees support the Board, as the Board receives no money from the General Fund.

Todd D'Braunstein stated that for the Board's Goal of Organizational Effectiveness, he would like to include webcasting of its meetings.

M – Todd D'Braunstein; and S – Ling-Ling Chang; and carried unanimously to adopt the 2010 Board Goals, noting Todd D'Braunstein's request to add webcasting to the Board's Goal of Organizational Effectiveness.

11. ENFORCEMENT REPORT: CONSUMER PROTECTION ENFORCEMENT INITIATIVE ITEMS

Angelina Martin, Enforcement Division Chief, reported that various media articles published in 2009 focused on DCA health care boards and indicated that boards are taking over three years to complete investigations and take appropriate disciplinary actions against licensees. As a result of the articles, Governor Schwarzenegger directed the State and Consumer Services Agency (SCSA) to conduct an internal review of the health care boards' enforcement programs and the DCA DOI. The SCSA found that most of the health care boards face significant complaint investigation backlogs and processing delays. The Governor charged the Director of the DCA with reforming the current enforcement process for health care boards.

The DCA is moving to implement the Consumer Protection Enforcement Initiative (CPEI). Pending passage of the 2010/11 budget, specific DCA healthcare boards will receive additional staff including non-sworn investigators to address the enforcement backlogs and improve investigative processing times. A separate departmental budget change proposal was submitted for a state-of-the-art integrated database to support licensing and enforcement.

Ms. Martin also gave a background and overview of the Board's Enforcement Program, including general statistics.

12. REGULATORY REPORT: EXAMINATION & DISHONORED CHECK REGULATIONS

Lynne Shively, Licensing and Administration Manager, reported that Board staff filed a Notice of Proposed Regulations with the Office of Administrative Law (OAL) on December 1, 2009, to amend the California Code of Regulations (CCR), Title 16, sections 2537 and 2590 relative to application, re-examination and dishonored check fees. The proposal is to make the fee change effective July 1, 2010.

On January 27, 2010, a public hearing was conducted by the Board in Sacramento. Prior to the hearing, the Board received written testimony from two individuals. Seven people attended the regulatory hearing and five people provided oral testimony.

Recommendations:

1. The Board approve the regulatory proposal to amend Division 25 of Title 16, CCR, section 2537 (VN) and section 2590 (PT) to reflect the following changes:

	<u>VN Program</u>	<u>PT Program</u>
➤ Examination Applications	From \$75 to \$150	From \$100 to \$150
➤ Retake Applications	From \$75 to \$150	From \$100 to \$150
➤ Dishonored Checks	From \$10 to \$25	From \$10 to \$25

2. Direct staff to submit the rulemaking file to the DCA and to the OAL for final approval; and
3. Authorize the EO to make non-substantive changes as are required by the Director of the DCA and the OAL.

Public Comment:

Ann Lyles, California Association of Psychiatric Technicians (CAPT) Consultant, stated that CAPT is opposed to the application and examination fee increases, because it is not clear how these increases will be helpful to PTs. She stated that CAPT fears this fee increase will price this license out of existence.

Vicki Lawrence, California Nurses Association Representative, stated that she is opposed to the fee increases while Board staff is subject to furloughs. She stated that the fee increase will cause the Board to have increased responsibility while there is a shortage of staff to complete the work that needs to be done.

Tony Myers, CAPT President, stated that CAPT opposes the application and exam fee increases because it seems that these fees will be used solely to support the VN Program. The examples provided were only related to VNs and did not include PTs.

Tricia Hunter, Director of the ANA, stated that the ANA is opposed to this fee increase until the Board has the authority to spend its money at its own discretion.

Brian Stiger, DCA Director, stated that the DCA takes fee increases very seriously. The DCA Budget Office confirmed and the DCA supports the Board's fee increase for the protection of the public.

Discussion:

Ling-Ling Chang stated that she opposes the fee increases at this time. She stated that until she sees a line-item budget to support this fee increase, she cannot support it in such tough fiscal times.

Angelina Martin stated that the overall costs for exam development have gone up. The Board has not wanted to increase these fees, but it's necessary to remain solvent.

Laura Freedman-Eidson, Legal Counsel for the Board, stated that in the event we have to add documents to the rulemaking file, there is a procedure by which those documents have to be added and a 15-day notice may have to occur. If it is something that can be added in the Final Statement of Reason there will be no problem. If it is something that needs to be sent out for an additional 15-day notice, Ms. Freedman-Eidson recommended that the Board authorize the EO to submit a 15-day notice with the original documents relied upon, if necessary, and to adopt the regulation, assuming there are no adverse comments to the 15-day notice.

M – Todd D’Braunstein; and S – Jessica Leavitt; and carried 4-1-1 to adopt the proposed regulations as amended by Legal Counsel. Ling-Ling Chang voted no and Kevin Baucom abstained from voting.

13. LEGISLATIVE REPORT

13.A. STATUTORY PROPOSAL TO AMEND BUSINESS & PROFESSIONS CODE, SECTIONS 2895 (VN) AND 4548 (PT) RELATIVE TO THE STATUTORY FEE RANGES

Lynne Shively, Licensing and Administration Manager, reported that on February 20, 2009, the Board approved proposed statutory amendments to Business and Professions (B&P) sections 2895 and 4548 relative to increasing the “statutory fee ranges” for the initial license fee, the biennial renewal fee and the delinquency fee. Board staff was directed to proceed with the legislative process. Board staff was unable to find an author to carry this statutory fee range proposal.

Since that time, a Licensing Program budget change proposal (BCP) that becomes effective July 1, 2010, necessitated a concurrent “regulatory” fee change. On December 1, 2009, a regulation notice was filed to increase the examination and re-examination fees. In addition, the Board is moving forward with CPEI and a BCP is underway, which should be effective July 1, 2010. According to the DCA Budget Office, the Board’s fund condition will be negatively impacted unless revenue adjustments are made in the future. Accordingly, the Board needs to change the statutory fee ranges for the following categories:

Fee Category	VN – Statutory Fee Range	PT – Statutory Fee Range
Exam Application	From \$75 - \$150 to \$75 - \$300	From \$100 - \$150 to \$100 - \$300
Retake Application	From \$75 - \$150 to \$75 - \$300	From \$100 - \$150 to \$100 - \$300
Biennial Renewal	From \$75 - \$150 to \$75 - \$300	From \$200 - \$300 to \$200 - \$400
Delinquent Renewal	From \$50 - \$75 to \$50 - \$150	From \$100 - \$150 to \$100 - \$200
Initial License Fee	Amount equal to biennial renewal fee.	Amount equal to biennial renewal fee.

Recommendation:

The Board approve the proposed statutory amendments to B&P Code, Sections 2895 and 4548, and direct staff to proceed with the legislative process.

Public Comment:

None received.

Discussion:

Todd D’Braunstein asked if, in good times, these fees could be reduced. Laura Freedman-Eidson, Legal Counsel, responded that they could, if the Board passed regulations to reduce the fees again in the future.

M – Todd D’Braunstein; and S – Jessica Leavitt; and carried 4-1-1 to adopt the recommendation. Ling-Ling Chang voted no and Kevin Baucom abstained from voting.

13.B. OTHER BILLS PERTINENT TO THE BOARD

Cheryl Anderson, Supervising Nursing Education Consultant (SNEC), reported on the status of Assembly Bills 48, 657, 750, 877, 1310 and 1430; Senate Bills 294, 389, 489, 599, 638 and 821; and Senate Resolution 25.

At the request of Professional Medical Careers Institute, the President reordered the Board Meeting Agenda to hear the Nursing Education Consultant’s report regarding their VN Program first.

14.A. PROFESSIONAL MEDICAL CAREERS INSTITUTE VOCATIONAL NURSING PROGRAM – CONSIDERATION OF PLACEMENT ON PROVISIONAL ACCREDITATION

Ms. Anderson reported that Professional Medical Careers Institute VN Program is presented to the Board for consideration of placement on provisional accreditation.

Ms. Anderson stated that on September 14-15, 2009, the program was inspected by the Board to determine compliance with Article 5 of the VN Rules and Regulations. Five violations were noted.

The Board considered the following key factors of the consultant’s report:

- Enrollment – Current and proposed enrollment indicates a maximum enrollment of 68 students for the period from October 2008 through September 2010.
- Exam Pass Rate – Students have not yet graduated from this program; therefore, no licensure examination data are available.
- Faculty & Facilities – The program has an adequate number of instructors and sufficient clinical facilities to support the current and proposed enrollment.

Recommendations:

1. Place the Professional Medical Careers Institute VN Program on provisional accreditation for the one-year period from February 18, 2010, through February 17, 2011, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the CCR.
2. Require the program to show documented progress by submitting follow-up reports in four and seven months. The report must include a comprehensive analysis of the program, specific actions taken to improve the program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis:
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluations of Student Achievement.
3. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing with section 2880, and Title 16, Article 5, of the CCR, commencing with section 2525.
4. Approve the program's request to admit a class of 34 students on March 10, 2010, only, to replace students graduating on February 27, 2010. That class is expected to graduate on July 9, 2011.
5. Approve the program's request to admit a class of 34 students on September 13, 2010, with an anticipated graduation date of December 17, 2011.

Representative of the School: Helen Taylor, Director.

Discussion:

The Board Members expressed concern that two students were admitted into the VN program without showing proof of completion of the 12th grade or a G.E.D. certificate. The two students failed the G.E.D. exam after completion of the VN Program.

Kevin Baucom asked if the two students who failed the G.E.D. paid tuition up-front, and whether that tuition would be refunded to them. Ms. Taylor responded that yes, the students paid tuition. Tuition was not refunded to the two students because they completed the program.

Ms. Taylor acknowledged that she violated her own admissions policy and the CCR by allowing these two students into her program. Ms. Taylor went on to state that no additional students have been admitted into the program without first showing proof of completion of 12th grade or completion of a G.E.D., nor would they be admitted in the future.

The President stated that he is concerned that Ms. Taylor knowingly disregarded her own admissions policies and the CCR.

M – Ling-Ling Chang; and S – Kevin Baucom; and carried unanimously to adopt the recommendations.

14.B. ANTELOPE VALLEY CAREER ACADEMY, INC. VOCATIONAL NURSING PROGRAM – RECONSIDERATION OF PROVISIONAL ACCREDITATION

Ms. Anderson reported that Antelope Valley Career Academy, Inc. VN Program is presented to the Board for reconsideration of its provisional accreditation status.

Ms. Anderson stated that on February 1, 2008, the Board placed the Antelope Valley Career Academy, Inc. VN Program on provisional accreditation due to the program's noncompliance with 2530(l) of the VN Practice Act relative to low pass rates. The program's accreditation status was reconsidered on October 7, 2009. The program director alleged major inconsistencies between program performance statistics as reported by Pearson Vue, test vendor for the National Council of State Boards of Nursing (NCSBN), and data maintained by the program.

A comprehensive review of program performance statistics was completed by the Board's Licensing Division and psychometric staff of the NCSBN. Per NCSBN records, the pass rate of first-time candidates from the program during July-September 2009 was 60%. The program's year-to-date pass rate (January 1, 2009 – September 30, 2009) was 38.1%. This data is consistent with prior information provided to the Board.

Recommendations:

1. Revoke Antelope Valley Career Academy, Inc., VN Program effective February 28, 2010.
2. Remove the program from the *List of Accredited VN Schools*.

Representative of the School: Belen Malayang, Director.

Discussion:

Ms. Malayang stated that the program's pass rates as provided by Pearson Vue are still inconsistent with her records.

Ling-Ling Chang asked for clarification of the report, the attachments, and how the data is collected and calculated. Ms. Anderson provided clarification and indicated that the data was verified by NCSBN to be correct.

Ms. Malayang stated that the discrepancies with her program's data date back to 2007, which caused her program to be placed on provisional accreditation in the first place. The President responded that she has not managed to raise her program's pass rates within the last two years.

The school owner stated that since 2001, over 95% of students who graduated from this program have passed the exam and are working in the nursing field.

M – Ling-Ling Chang; and S – Kevin Baucom; and carried 5-0-1 to revoke Antelope Valley Career Academy, Inc., effective February 28, 2010. Victor King abstained from voting.

14.C. COAST HEALTH EDUCATION CENTER, INC., VOCATIONAL NURSING PROGRAM – RECONSIDERATION OF PROVISIONAL ACCREDITATION

Ms. Anderson reported that Coast Health Education Center, Inc., VN Program is presented to the Board for reconsideration of its provisional accreditation status.

Ms. Anderson stated that, effective December 8, 2008, the Board placed Coast Health Education Center, Inc., VN Program on provisional accreditation due to the program's low pass rates.

The Board considered the following key factors of the consultant's report:

- Enrollment – Current and proposed enrollment indicates a maximum enrollment of 27 students for the period from July 2008 through February 2011.
- Exam Pass Rate – The program's average annual licensure examination pass rates for the period from April 2006 through September 2009 were more than 10 percentage points below the state average annual pass rate.
- Faculty & Facilities – The program has an adequate number of instructors and sufficient clinical facilities to support the current and proposed enrollment.
- The program has implemented interventions to improve student achievement including, but not limited to, admission criteria, evaluation methodology for determining student achievement, and instructional methods. Additionally, the program has reduced the number of students it admits per class from 45 to 15 students.

Recommendations:

1. Extend provisional accreditation of Coast Health Education Center VN Program for the one-year period from March 1, 2010 through February 28, 2011, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1(e) of the CCR.
2. Require the program to show documented progress by submitting a follow-up report in nine months. The report must include a comprehensive analysis of the program, specific actions taken to improve the program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

- a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluations of Student Achievement.
3. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing with section 2880, and Title 16, Article 5, of the CCR, commencing with section 2525.

Representative of the School: Oscar De Jesus, Director.

Discussion:

Todd D’Braunstein asked whether the program’s pass rates have gone up since class sizes have been reduced and other changes have been implemented.

Mr. De Jesus responded that the pass rates are slowly going up, as evidenced by the data shown in the report.

The President made note of the upward trend in the pass rates and stated that he would like the Board to continue to closely monitor the program.

M – Ling-Ling Chang; and S – Todd D’Braunstein; and carried unanimously to adopt the recommendations.

14.D. HEALTHCARE EDUCATION ADVANCEMENT CENTER VOCATIONAL NURSING PROGRAM – RECONSIDERATION OF PROVISIONAL ACCREDITATION

Ms. Anderson reported that Healthcare Education Advancement Center VN Program is presented to the Board for reconsideration of its provisional accreditation status.

Ms. Anderson stated that, on May 9, 2008, the Board placed the Healthcare Education Advancement Center VN Program on provisional accreditation due to the program’s pass rates.

The Board considered the following key factors of the consultant’s report:

- Enrollment – Current and proposed enrollment indicates a maximum enrollment of 56 students for the period from April 2007 through March 2010.

- Exam Pass Rate – The program’s average annual licensure examination pass rates for the period from January 2006 through September 2009 were more than 10 percentage points below the state average annual pass rate.
- Faculty & Facilities – The program has an adequate number of instructors and sufficient clinical facilities to support the current and proposed enrollment

Recommendations:

1. Deny Healthcare Education Advancement Center Vocational Nursing Program’s request to admit a class of 30 students in a part-time class on March 11, 2010, to replace part-time students graduating March 5, 2010. The denial will result in a balance of 26 students.
2. Extend provisional accreditation of Healthcare Education Advancement Center VN Program for the period from May 9, 2010 through September 30, 2010, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the CCR.
3. Require the program to show documented progress by submitting a follow-up report in six months. The report must include a comprehensive analysis of the program, specific actions taken to improve the program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.
 - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluations of Student Achievement.
4. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing with section 2880, and Title 16, Article 5, of the CCR, commencing with section 2525.

Representative of the School: Violeta Doles Arevalo, Director.

Discussion:

Ms. Arevalo stated that the school is implementing plans to raise the program pass rates. She requested that the Board consider replacing at least 15 students for the class beginning on March 5, 2010.

Kevin Baucom observed that the more students that are in the program, the lower the pass rates. He would like to see smaller class sizes so students can have more one-on-one instruction.

M – Kevin Baucom; and S – Todd D’Braunstein; and carried unanimously to adopt the recommendations.

14.E. MEDICAL CAREER COLLEGE VOCATIONAL NURSING PROGRAM – CONSIDERATION OF PLACEMENT ON PROVISIONAL ACCREDITATION

Ms. Anderson reported that Medical Career College VN Program is presented to the Board for consideration of placement on provisional accreditation status.

The Board considered the following key factors of the consultant’s report:

- Enrollment – Current and proposed enrollment indicates a maximum enrollment of 89 students for the period from December 2008 through September 2009.
- Exam Pass Rate – The program’s average annual licensure examination pass rates for the period from January 2008 through December 2009 were more than 10 percentage points below the state average annual pass rate.
- Faculty & Facilities – The program has an adequate number of instructors and sufficient clinical facilities to support the current and proposed enrollment.

Recommendations:

1. Place the Medical Career College VN Program on provisional accreditation for the two-year period from February 18, 2010, through February 17, 2012, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the CCR.
2. Require the program to show documented progress by submitting a follow-up report in 10 and 22 months. The report must include a comprehensive analysis of the program, specific actions taken to improve the program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Current Student Enrollment.
 - b. Admission Criteria.
 - c. Screening and Selection Criteria.
 - d. Terminal Objectives.
 - e. Curriculum Objectives.
 - f. Instructional Plan.
 - g. Theory and Clinical Objectives for Each Course.
 - h. Lesson Plans for Each Course.
 - i. Textbooks.
 - j. Attendance Policy.
 - k. Remediation Policy.
 - l. Evaluations of Theory and Clinical Faculty.
 - m. Evaluations of Theory Presentations.

- n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
 - o. Evaluations of Student Achievement.
3. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing with section 2880, and Title 16, Article 5, of the CCR, commencing with section 2525.

Representative of the School: Mary Pat Bonham, Director.

Discussion:

Ms. Bonham acknowledged the poor pass rates of her program. She requested a delay in being placed on provisional accreditation until after the program's May 2010 class graduates and takes the exam, so the Board will have additional data to consider.

The President clarified that the Board is considering placing the program on provisional accreditation, not revoking the program's accreditation.

M – Todd D’Braunstein; and S – Victor King; and carried unanimously to adopt the recommendations.

15. PUBLIC COMMENT PERIOD

Brian Stiger, DCA Director, stated that he appreciates the work of the Board and staff and the strong working relationship between the Board and the DCA.

16. ADJOURNMENT

The meeting adjourned to Closed Session at 3:46 p.m.

Prepared by: _____ Date: _____
Teresa Bello-Jones, J.D., M.S.N., R.N.
Executive Officer

Approved by: _____ Date: _____
John P. Vertido, L.V.N.
President