STATE OF CALIFORNIA
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DEPARTMENT OF CONSUMER AFFAIRS

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: August 28, 2013

TO: Board Members

Pam Hinckley

FROM: Pam Hinckley, R. N., M.S.N.
Nursing Education Consultant

SUBJECT: Healthcare College of California Vocational Nursing Program – Reconsideration of Provisional Approval (Director: Milva Quial, Stockton, San Joaquin County, Private)

On September 9, 2011, the Board placed Healthcare College of California Vocational Nursing Program on provisional approval [1] for the two-year period from September 9, 2011, through September 30, 2013. That action was taken due to the program's noncompliance with Section 2530 (l) of the Vocational Nursing Rules and Regulations which states:

> "The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period.
>
> (1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."

The Board directed that the program demonstrate incremental progress in correcting identified violations. Further the program was required to admit no additional students unless approved by the full Board. Reconsideration of the program's status was scheduled for the September 2013 Board meeting.

On October 4, 2011, the Board forwarded to the program director the Notice of Change in Accreditation Status. This document stated the decisions rendered by the Board and deadlines for submission of required reports.

History of Prior Board Actions

(See Attachment A, History of Prior Board Actions)

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[1] Prior to January 1, 2012, references in article 4 of the Vocational Nursing Practice Act and article 4 of the Psychiatric Technicians Law provided that the Board accredits all vocational nursing and psychiatric technicians programs. Pursuant to Business and Professions Code Sections 2883 and 4532 (Senate Bill 539, Chapter 338, Statutes of 2011), **accredit** was changed to **approve**. There was no change to the Board's authority or jurisdiction.

Currently, the program is approved to offer a full – time course of instruction that is 42 weeks in length. The program requires prior Board approval for the admission of each class. The pattern of admissions for current classes is seen in the enrollment table below.

The following table represents **current and proposed** student enrollment based on class starts and completions. The table indicates **a maximum enrollment of 48 students** for the period **April 2009 through September 2012**.

ENROLLMENT DATA				
CLASS DATES		**#Students Admitted**	**#Students Current or Completed**	**Total Enrolled**
Start	**Complete**			
4/09		24 **(Approved 20)**	23	**23**
10/09		25	25	23 + 25 = **48**
	2/10 (4/09 Class)		-23	48 – 23 = **25**
3/10		28	22	25 + 22 = **47**
	8/10 (10/09 Class)		-25	47 – 25 = **22**
	12/10 (3/10 Class)		-22	22 – 22 = **0**
3/11		16	15	0 + 15 = **15**
10/11		15	15	15 + 15 = **30**
	12/11 (3/11 Class)		-15	30 – 15 = **15**
	9/12 (10/11 Class)	15	-15	15 -15 = **0**

Based on previously submitted information, the program graduated a class of 15 students in September 2012. Since that time, no further classes have been admitted.

Licensing Examination Statistics

The following statistics, furnished by the Pearson Vue and published by the National Council of State Boards of Nursing as "Jurisdictional Summary of All First-Time Candidates Educated in Member Board Jurisdiction," for the period January 2008 through June 2013, specify the pass percentage rate for graduates of the Healthcare College of California Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data							
Quarterly Statistics					Annual Statistics*		
Quarter	# Candidates	# Passed	% Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate	Variance from State Average Annual Pass Rate
Jan - Mar 2008	2	1	**50%**	75%	**50%**	75%	**-25**
Apr - Jun 2008	24	6	**25%**	70%	**27%**	74%	**-47**
July - Sep 2008	1	1	100%	74%	**30%**	74%	**-44**
Oct - Dec 2008	**No Candidates Tested**			73%	**30%**	73%	**-43**
Jan - Mar 2009	21	14	67%	70%	**46%**	72%	**-26**
Apr - June 2009	6	4	67%	71%	68%	70%	-2
July - Sep 2009	10	6	**60**%	74%	65%	72%	-7
Oct – Dec 2009	18	8	**44%**	76%	**58%**	73%	**-15**
Jan – Mar 2010	12	4	**33%**	76%	**48%**	74%	**-26**
Apr – Jun 2010	9	2	**22%**	75%	**41%**	75%	**-34**
Jul - Sep 2010	14	8	**57%**	76%	**42%**	75%	**-33**
Oct – Dec 2010	14	10	71%	77%	**49%**	76%	**-27**
Jan – Mar 2011	18	10	**56%**	80%	**55%**	77%	**-22**
Apr-Jun 2011	13	5	**39%**	71%	**56%**	76%	**-20**
Jul – Sep 2011	3	1	**33%**	74%	**54%**	76%	**-22**
Oct – Dec 2011	8	4	**50%**	74%	**48%**	75%	**-27**
Jan – Mar 2012	6	2	**33%**	77%	**40%**	74%	**-34**
Apr – Jun 2012	7	1	**14%**	72%	**33%**	74%	**-41**
Jul – Sep 2012	11	5	**45%**	74%	**38%**	74%	**-36**
Oct – Dec 2012	3	1	**33%**	70%	**33%**	74%	**-41**
Jan – Mar 2013	4	3	75%	75%	**40%**	73%	**-33**
Apr – Jun 2013	7	2	**29%**	78%	**44%**	73%	**-29**

*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three-quarters by the number of candidates who tested during the same period. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.

Based on the most current data available (April to June 2013), the program's average annual pass rate is **44%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time is 73%. The average annual pass rate for the Healthcare Career College Vocational Nursing Program is **29 percentage points below** the state average annual pass rate.

Faculty and Facilities

Section 2534(d) of the Vocational Nursing Rules and Regulations states:

> "For supervision of clinical experience, there shall be a maximum of 15 students for each instructor."

The program's Board-approved faculty totals twelve (12), including the director. The director has 80% administrative and 20% teaching responsibilities. Twelve (12) instructors are approved to teach clinical.

Based on a maximum enrollment of 48 students, four (4) instructors are needed. Therefore, the number of current faculty is adequate for the current and proposed enrollment.

Section 2534 (b) of the Vocational Nursing Rules and Regulations states:

> "Schools shall have clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas specified by Section 2533. There must be available for student assignment, an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught."

The program has clinical facilities that are adequate as to type and variety of patients treated to enable current and proposed students to meet clinical objectives, in accordance with Section 2534 (b) of the Vocational Nursing Rules and Regulations. This has been verified by the consultant.

Other Considerations

On September 9, 2011, the Board placed the program on provisional approval for a two – year period from September 9, 2011, through September 30, 2013 due to low licensure pass rates. At that time, the program's quarterly pass rate was 39% and its average annual pass rate was 56%. The Board specified corrective actions that included a requirement that the program admit no additional students unless approved by the full Board.

On October 4, 2011 the Board forwarded to the director the Notice of Change in Approval Status (see Attachment B).

Published examination statistics confirm that, of the 22 quarters that the program had candidates take the licensure exam, the program has only had two (2) quarters in which the reported average annual pass rates were within ten (10) percentage points of the state average annual pass rate. Currently, the program's **quarterly** pass rate is **29%** and the average **annual** pass rate is **44%.** As such, the program's **current** average annual pass rate is **29** percentage points **below** the state average annual pass rate and ten (10) percentage points **lowe**r than at the time of placement on provisional approval.

Fifteen (15) students graduated on September 30, 2012. Of that total, four (4) graduates completed the licensure examination during Quarter 1 2013. Of the total tested, three (3) passed and one (1) failed. During Quarter 2, five (5) program graduates tested; one (1) passed; four (4) failed., Six (6) graduates have not tested to date. Currently, no students are enrolled in classes at Healthcare College of California.

On March 11, 2013 the assigned consultant forwarded correspondence requesting submission of two (2) copies and a CD or Flash Drive of pertinent documents from the program's submitted plan and subsequent actions taken to correct identified problems that they desire Board members to consider.

On March 20, 2013, the Board received correspondence from the program director and two (2) copies and a CD of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider. Included in the plan are the following elements:

- Terminal Objectives will be maintained however, an increased emphasis will be placed on NCLEX preparedness.
- Pre-requisite Classes - in the past, the pre-requisite classes were given far in advance of beginning of the VN class. Pre-requisite classes will now be started at the time approval for a class is given by the Board. Additionally, Pharm will be increased to 90 hours and Psych and normal growth and development will decrease to 26 hours.
- Admission and Screening and Selection Criteria - Strict enforcement of testing and screening criteria will be maintained. Rubric created and will be utilized. Essays will be written on site the day of application to the program. Unemployed potential students will be given priority over employed applicants.
- Final Selection Process - Director will have the final authority to select students.
- Remediation - Instructors will be required to submit weekly student progress reports to the director, so that remediation can be implemented early.
- Grading System - Increase the minimum passing rate from 75% to 80%.
- Termination of Students-Students performing consistently poorly will be terminated after due process is given.
- Communication - Weekly meetings between theory and clinical instructors to discuss objectives and student progress will occur.
- Evaluation of Theory and Clinical Faculty - The program director will evaluate theory and clinical instructors consistently. Students will evaluate instructors on a regular basis.
- HESI- HESI comprehensive testing will be integrated to evaluate student progress.
- Program Director will increase her teaching hours in the program to increase early identification of student problems.
- Hire new faculty that have a proven commitment to education.

On June 1, 2013, the report of the comprehensive analysis of the program with other required information was due to the Board, as specified in Corrective Action #2 of the Notice of Change in Approval Status. **To date, that report has not been received.**

On June 5, 2013 the assigned consultant forwarded correspondence relative to the program's failure to comply with required corrective actions. The consultant requested the program's submission of two (2) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire Board members to consider (see Attachment C). To date, this report has **not been submitted**.

On June 24, 2013, the NEC received a telephone communication from the director's husband. During the conversation, he identified that the director is in the Philippines and will not be back until sometime in July. Additionally, he indicated that the director has lost the desire to continue to fight for the program, since they do not have any current students. "There is no way to bring the licensure pass rates up."

Given the foregoing, the following violations are identified:

Section 2527(a) of the California Code of Regulations states:

> **"The Board shall require reports by schools and conduct such investigations as necessary to determine whether or not accreditation will be continued"**

Violation #1: The program failed to submit a report in accordance with the Board's September 9, 2011 decision. Specifically, the Board directed the program's submission of a written report by June 1, 2013. That report was required to include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions.

Board files substantiate that the program failed to submit the report in accordance with the Board's decision.

Plan of Correction #1: This violation is **not corrected.**

Section 2530(l) of the California Code of Regulations states:

> **"The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period…"**

Violation #2: Published examination statistics substantiate that the program has failed to maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate. Specifically, the program's average annual pass rates have been more than ten (10) percentage points below state average annual pass rates for **20** out **of 22 quarters** that licensure data has been recorded for the program. As such, the program has been **compliant** with regulatory requirements for **9.10%** of the time and **non-compliant** for **90.90%** of the time.

Plan of Correction #2: This violation is **not corrected.** The violation will be corrected when the program's pass rates improve consistent with regulatory requirements.

Recommendations:

1. Revoke the provisional approval of the Healthcare College of California Vocational Nursing Program.

2. Remove the program from the *List of Approved Vocational Nursing School*s effective immediately.

Rationale: As noted previously, the program was placed on provisional approval on September 9, 2011 due to noncompliant pass rates on the licensure examination. **At that time,** the program's **quarterly pass rate** was **39% and** its **average annual pass rate** was **56%.** The program was required to demonstrate incremental progress in correcting its violation.

The program's most recent **quarter** pass rate is **29%** and average **annual** pass rate is **44%.** As such, the program's quarterly pass rate is ten (10) percentage points lower than when the program was placed on provisional approval. The program's average annual pass rate is twelve (12) percentage points lower than when placed on provisional approval.

The program's licensure pass rates have been more than ten (10) percentage points **below** the state average annual pass rates for twenty **(20) of the twenty-two (22) quarters** that licensure data has been recorded for the program. Over the most recent **15 consecutive** quarters or (3 ¾ years) the pass rates have been significantly **below** the state average annual pass rate. Based on the program's continued non-compliance with the California Rules and Regulations Section 2530(l), the recommendation to deny the requested class and revoke the program's approval is warranted. No students are currently enrolled in classes at this time.

Attachment A: History of Prior Board Actions.
Attachment B: Notice of Change in Accreditation Status Dated October 4, 2011.
Attachment C: Board Correspondence Dated June 5, 2013.

HEALTHCARE COLLEGE OF CALIFORNIA
VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On January 9, 2007, the Executive Officer approved the Nursing Care Provider School, Stockton's request to begin a vocational nursing program on January 15, 2007, only, with a projected graduation date of December 20, 2007, with an initial class of 40 students; **and** approved the program curriculum for 1626 hours, including 667 theory, and 959 clinical hours.

- On June 22, 2007, the Executive Officer approved the program's request to change the program name, from Nursing Care Provider School, Stockton, to Healthcare College of California Vocational Nursing Program.

- On November 7, 2007, the Executive Officer approved initial full accreditation for the Healthcare College of California Vocational Nursing Program for the period from November 7, 2007, through November 6, 2011, and issued a certificate accordingly.

  The Executive Officer also approved the program's request to admit a full - time class of 40 students to start January 14, 2008 only, with a projected graduation of October 31, 2008. The class will **replace** students graduating on December 28, 2007.

- On February 27, 2008, the Executive Officer approved the program's request to admit 40 students on June 14, 2008 only, with an anticipated graduation date of March 31, 2009.

- On October 8, 2008, the Executive Officer approved the program's request to admit 40 students on November 10, 2008 to **replace** students who graduated October 31, 2008.
- On March 25, 2009, the assigned consultant sent correspondence to the program notifying the director that the program's licensure examination pass rates had fallen below 10 percentage points of the state average pass rate for the past four (4) quarters. The program was asked to provide the Board with a written plan for improving the program's NCLEX-PN® pass rates by April 27, 2009.

- On April 1, 2009, the program was asked to submit detailed documentation verifying implementation of the submitted plan of correction, dates of implementation of the plan, the effectiveness of the employed interventions, and modifications, if any, in the submitted plan, on or before April 30, 2009.

The requested report was to include a comprehensive analysis of the program, specific actions to improve the program pass rates, timeline for implementation, and expected outcomes. The following elements were to be addressed in the analysis:

a. Admission criteria.
b. Screening and Selection Criteria.
c. Terminal Objectives.
d. Curriculum Objectives.
e. Instructional Plan.
f. Theory and Clinical Objectives for Each Course.
g. Lesson Plans for Each Course.
h. List of Textbooks.
i. Attendance Policy.
j. Remediation Policy.
k. Evaluations of Theory and Clinical Faculty.
l. Evaluations of Theory Presentations.
m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.

- On April 8, 2009, the Executive Officer **denied** the program's request to admit a class of **40** students and **approved** the admission of **20** students on April 22, 2009 only, to **replace** students who graduated on April 18, 2009. Additionally, the program was required to submit a follow – up report by April 30, 2009, that included a comprehensive program analysis, specific actions to improve program pass rates, timeline for implementation, and expected outcomes.

- On April 20, 2009 the Board received the director's response to the notification. As reported, the program is focusing on stricter implementation of the program's tardiness policy; increasing the frequency of meetings between theory and clinical instructors to coordinate teaching; stricter implementation of the program's remediation policy; improving student counseling resources; enhancement of library resource materials; and the addition of two NCLEX-PN® review classes.

- **On April 30, 2009, the director stated, "Your letter … appears to assume that the low pass rates could be attributed to a wide range of factors, from admission policy to theory presentations and clinical rotations. Although there is always room for improvement in all areas of training, we continue to hold on to our original assessment that full time employment is the main culprit behind the school's low pass rate for its first batch of graduates… The results of the first batch of graduates must not be used as a yardstick to measure our present performance as a training school."**

- **On May 12, 2009, a new program director was approved.**

- On October 20, 2009, the Executive Officer approved the program's admission of

40 students on October 20, 2009, only, to **replace** the class graduating on September 12, 2009.

- On November 20, 2009, the Executive Officer approved the Healthcare College of California Vocational Nursing Program's request to admit a class of 30 students on April 5, 2010 only, to **replace** a class graduating on March 27, 2010.

- On March 1, 2010, the Executive Officer **denied** the Healthcare College of California
  Vocational Nursing Program request to admit a class of **40** students on February 22, 2010, to **replace** a class graduating on February 12, 2010; and **approved** the program's admission of a class of **30** students on February 22, 2010 only, to **replace** a class graduating on February 12, 2010.

- On November 16, 2010, the SNEC and assigned consultant requested the following information per telephone, relative to a program request:

  a. Revised enrollment information for all classes from 2009 – 2011.
  b. List of currently approved faculty.
  c. List of currently approved clinical facilities.
  d. Interventions to improve student achievement.

  Following the telephone call, the assigned consultant forwarded electronic correspondence memorializing the above conference call. The director was advised that submission of the requested information and documents was required by December 15, 2010.

- On December 4, 2010, the program was notified that its average annual pass rate had fallen more than ten (10) percentage points below the state average annual pass rate for the past four (4) quarters. The program was requested to submit a written plan for improving their NCLEX-PN® pass rates by December 17, 2010.

- On December 16, 2010, the Board received program documents related to its written plan to increase NCLEX-PN® pass rates. **The enrollment information, list of approved faculty, and clinical facilities were not submitted as requested on November 16, 2010**.

- **On December 21, 2010, the assigned consultant forwarded electronic correspondence advising that the requested information had not been submitted as agreed. The director was advised that action on the program's request for approval to admit a new class would be delayed pending receipt of the requested documents.**

- On December 22, 2010, the Board received documents relative to enrollment, faculty and facilities.

- **On January 4, 2011, the program was issued a Notice of Violation for noncompliance with California Code of Regulations Section 2530 (k), due to the program's admission of a class without prior Board approval.**

- On January 13, 2011, the Board received documents presenting the program's plan to prevent future admissions of unapproved classes.

- On January 26, 2011, the Executive Officer **denied** the Healthcare College of California Vocational Nursing Program's request to admit full – time class of **30** students on February 22, 2011, graduating December 30, 2011 to **replace** a class that graduated on August 14, 2010; and, **approved** the program's admission of a full-time class of **20** students on February 22, 2011, graduating December 30, 2011 to **replace** a class that graduated on August 14, 2010. Additionally, the program was required to continue obtaining Board approval prior to the admission of each class.

- On May 16, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past six (6) quarters. The program was requested to submit a written evaluation of the plan for improving their NCLEX-PN® pass rates by June 3, 2011.

- On June 15, 2011, the program director advised the Board that admission of the February 22, 2011 class had been delayed to March 1, 2011.

- **On June 21, 2011, the assigned consultant contacted the school relative to the program's failure to submit an evaluation of the plan to improve licensure pass rates that was due June 3, 2011.**

- On June 27, 2011, the Board received documents related to the effectiveness of the plan to improve licensure pass rates.

- On July 19, 2011, the Executive Officer deferred action on the program's request to admit 20 full – time students, for consideration by the Board at the September 9, 2011 meeting. This decision was based on the following critical factors:

  a. The program's extensive history of poor student achievement;
  b. Noncompliance with regulatory requirements regarding performance pass rate statistics;
  c. Noncompliance with regulatory requirements relative to the admission of students; and
  d. Repeated lack of compliance with prior requests for information.
  e. The assigned consultant forwarded correspondence to the director advising of the Executive Officer's decisions.

- On July 20, 2011, the Board received electronic correspondence from the

program director, dated July 19, 2011 regarding the Executive Officer's decision. Based on submitted information, the director was requested to provide information relative to the program's planned utilization of DnD Educator programs.

- On July 20, 2011, the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rate for the past seven (7) quarters. The program was requested to submit a written evaluation of the plan for improving their NCLEX-PN® pass rates by August 1, 2011.

- On July 26, 2011, the assigned consultant forwarded correspondence to the director regarding the program's failure to submit requested information regarding its utilization of DnD Educator programs. Submission of the requested information was requested by Friday, July 29, 2011.

- On July 28, 2011, the Board received electronic correspondence from the director regarding the utilization of DnD Educator programs as a part of its plan to improve its pass rates on the NCLEX-PN®

- On August 5, 2011, the assigned consultant forwarded correspondence requesting submission of fifteen (15) copies of pertinent documents from the December 16, 2010, plan and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On September 9, 2011, the Board placed Healthcare Career College of California Vocational Nursing Program on provisional accreditation for the two-year period from September 9, 2011, through September 30, 2013, and issued a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations; **and**, denied the program's request to admit 20 full-time students on September 19, 2011, graduating July 13, 2012, to **replace** a class that graduated December 30, 2010; **and,** approved the program's admission of 15 full – time students on September 19, 2011, graduating July 13, 2012, to **replace** a class that graduated December 30, 2010; **and,**

  Required the program to admit no additional students unless approved by the full Board; and, required the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by **September 1, 2013; and,**

  Required the program to submit follow-up reports in 9 months, but no later than **June 1, 2012**, and 21 months, but no later than **June 1, 2013**. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

  a. Admission Criteria.

b. Screening and Selection Criteria.
c. Terminal Objectives.
d. Curriculum Objectives.
e. Instructional Plan.
f. Theory and Clinical Objectives for Each Course.
g. Lesson Plans for Each Course.
h. Textbooks.
i. Attendance Policy.
j. Remediation Policy.
k. Evaluations of Theory and Clinical Faculty.
l. Evaluations of Theory Presentations.
m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
n. Evaluation of Student Achievement.
o. Current Enrollment; **and,**

Required the program to comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526; **and,** required the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation; **and**, failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation; **and**, placed the program on the **September 2013** Board agenda for reconsideration of provisional accreditation.

- On October 4, 2011, the Board forwarded to the director a Notice of Change in Accreditation Status.

- On April 17, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents from the program's submitted plan and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On April 18, 2012, the Board received correspondence from the program director and eighteen (18) copies of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.

- On June 1, 2012, the director submitted the required comprehensive analysis per the terms of Provisional Approval.

- On March 11, 2013, the assigned consultant forwarded correspondence requesting submission of two (2) copies and a CD or Flash Drive of pertinent documents from the program's submitted plan and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On March 21, 2013, the Board received correspondence from the program director and two (2) copies and a CD of pertinent documents and subsequent actions taken to correct identified problems that they desire the Board members to consider.

- On May 10, 2013, the Board **denied** Healthcare College of California's request to admit 20 full-time students June 17, 2013 graduating on May 15, 2014, to **replace** a class that graduated September 30, 2012; and, required the program to continue to admit no additional students unless approved by the full Board.

  On June 5, 2013, the assigned consultant forwarded correspondence requesting submission of two (2) copies and a CD or Flash Drive of pertinent documents from the program's submitted plan and subsequent actions taken to correct identified problems that they desire Board members to consider.

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
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CERTIFIED MAIL

October 4, 2011

Milva Quail, Director
Healthcare College of California
141 E. Acacia Street
Stockton, CA 95002

Subject: Notice of Change in Accreditation Status

Dear Ms. Quail:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on September 9, 2011, the status of the Healthcare College of California Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the two – year period from September 9, 2011 through September 30, 2013. The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing accreditation completely.

Please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Friday, October 14, 2011.**

AREAS OF NON-COMPLIANCE [VIOLATION(S)]

In accordance with Section 2526.1(c) of title 16 of the California Code of Regulations,

> "The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526..."

Section 2527 (a) of the Vocational Nursing Rules and Regulations states:

> "The Board shall require such reports by schools and conduct such investigations as necessary to determine whether or not accreditation will be continued."

Section 2530 (k) of the Vocational Nursing Rules and Regulations states:

> "The program shall have prior Board approval to increase the number of students per class and/or increase the frequency of admission of classes..."

Section 2530(l) of title 16 of the California Code of Regulations states:

> "The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of accredited vocational nursing schools for the same period..."

The program pass rates of the Healthcare College of California Vocational Nursing Program for the past fourteen (14) quarters are set forth in the following table.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Jan – Mar 2008	75%	**50%**	**-25**
Apr – Jun 2008	74%	**27%**	**-47**
Jul – Sep 2008	74%	**30%**	**-44**
Oct – Dec 2008	73%	**30%**	**-43**
Jan – Mar 2009	72%	**46%**	**-26**
Apr – Jun 2009	70%	68%	-2
Jul – Sep 2009	72%	65%	-7
Oct – Dec 2009	73%	**58%**	**-15**
Jan – Mar 2010	74%	**48%**	**-26**
Apr – Jun 2010	75%	**41%**	**-34**
Jul – Sep 2010	75%	**42%**	**-33**
Oct – Dec 2010	76%	**49%**	**-27**
Jan – Mar 2011	77%	**55%**	**-22**
Apr – Jun 2011	76%	**56%**	**-20**

Based on this data, the program failed to comply with regulatory requirements relative to the submission of reports and information and the admission of students. Further, the program failed to maintain the annual average pass rate, as required by regulation.

REQUIRED CORRECTION(S)

1. The Healthcare College of California Vocational Nursing Program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate by September 1, 2013.

2. The program shall submit follow-up reports in 9 months, but no later than **June 1, 2012**, and 21 months, but no later than **June 1, 2013**. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

   a. Admission Criteria.
   b. Screening and Selection Criteria.

c. Terminal Objectives.
d. Curriculum Objectives.
e. Instructional Plan.
f. Theory and Clinical Objectives for Each Course.
g. Lesson Plans for Each Course.
h. Textbooks.
i. Attendance Policy.
j. Remediation Policy.
k. Evaluations of Theory and Clinical Faculty.
l. Evaluations of Theory Presentations.
m. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
n. Evaluation of Student Achievement.
o. Current Enrollment.

3. The program shall admit no additional students unless approved by the full Board.

4. The program shall comply with all accreditation standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, section 2526.

5. The program shall demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's accreditation.

6. Failure to take any of these corrective actions may cause the full Board to revoke the program's accreditation.

In the event additional violations of the accreditation standards are identified, such violations may result in further corrective action or revocation of provisional accreditation.

FUTURE BOARD ACTION

Your program will be placed on the **September 2013** Board meeting agenda for reconsideration of your accreditation status. The nursing education consultant assigned to your program will ask you to submit documentation of the correction of your violation(s) by the fifteenth day of the second month prior to that Board meeting. If you have additional information that you wish considered beyond the required corrections listed on page 2 and page 3, you must submit this documentation by the fifteenth day of the second month prior to the Board meeting.

OTHER IMPORTANT INFORMATION

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously

approved by the Board. The established pattern of admissions approved by the Board is as follows: **Prior Board approval was required for the admission of each class; however, based on the above corrections, the full Board's permission will be required for each future class admission.**

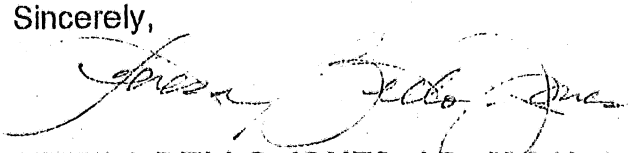
In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full accreditation, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section 2526.1, regarding provisional accreditation is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at www.bvnpt.ca.gov.

Should you have questions, please do not hesitate to contact the Board.

Sincerely,



TERESA BELLO-JONES, J.D., M.S.N., R.N.
Executive Officer

Enclosures

cc: Board Members

TBJ:ph

STATE OF CALIFORNIA
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
Phone (916) 263-7800 Fax (916) 263-7859 Web www.bvnpt.ca.gov

TITLE 16
CALIFORNIA CODE OF REGULATIONS

Section 2526.1

2526.1. Provisional Accreditation.

(a) Provisional accreditation means a program has not met all requirements as set forth in this chapter and in Chapter 6.5, Division 2 of the Business and Professions Code.

(b) Provisional accreditation shall be granted for a period determined by the Board.

(c) The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526. If the program has not met all requirements at the end of the initial provisional accreditation period, provisional accreditation may be extended if the program demonstrates to the satisfaction of the Board a good faith effort to correct all deficiencies.

(d) Any program holding provisional accreditation may not admit "new" classes beyond the established pattern of admissions previously approved by the Board. The admission pattern is defined by the number of students per class and the frequency of admissions for the six class admissions that immediately precede the Board action to consider provisional accreditation.

(e) A program placed on provisional accreditation shall receive written notification from the Board. The notification to the program shall include specific areas of noncompliance and requirements for correction. A program's failure to correct delineated areas of noncompliance is cause for revocation of provisional accreditation.

(f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional accreditation.

(g) A program whose provisional accreditation has been revoked shall be removed from the Board's list of accredited programs. The status of students as potential applicants for licensure will be determined by the Board.

(h) A program that is removed from the Board's list of accredited programs subsequent to Board action based on the program's non-compliance with applicable regulations shall not reapply to establish a vocational nursing program for a minimum period of one calendar year.

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
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Acknowledgement of Change in Accreditation Status

I, Milva Quail, director of Healthcare College of California Vocational Nursing
Director's Name) Name of Program)

Program, hereby acknowledge that this program's status has been changed from full accreditation to provisional accreditation. I understand that in accordance with Section 2526.1 (f) of the Vocational Nursing Rules and Regulations and Section 2581.1 (f) of the Psychiatric Technician Rules and Regulations, the Board will consider any advertisement of full accreditation while on provisional accreditation as "material misrepresentation of fact". "Material misrepresentation of fact" may lead to revocation of the program's accreditation. Further, I understand the program's provisional accreditation status will be reflected on the Board's internet website.

Please complete and return this form to the Board by Friday, October 14, 2011.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____ _____
(Signature of Director) **(Date)**

STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
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June 5, 2013

Milva Quail
Healthcare College of California
Vocational Nursing Program
141 East Acacia Street
Stockton, CA 95002

Subject: Reconsideration of Provisional Approval (Revised)

Dear Ms. Quail:

The Board of Vocational Nursing and Psychiatric Technicians (Board) is scheduled to reconsider Provisional Approval of the **Healthcare College of California Vocational Nursing Program** on September 13, 2013.

To ensure dissemination to individual Board members and relevant staff for timely consideration at the September 13, 2013 Board Meeting, please submit:

- Two (2) copies of pertinent documents that you desire Board members to consider. Please remember existing statutes require that any document considered by the Board will become a public record. Accordingly, please redact all names of students.
- In addition, please provide information on a compact disc (CD) for Board use. Again, please remember to redact any student names prior to copying information onto the CD.

To ensure dissemination and review by Board Members prior to the meeting, the deadline for submission of the requested documents and the CD is **Friday, June 14, 2013.**

Additionally, please send the attached enrollment forms by **Friday, June 14, 2013.**

Although the primary purpose of this letter is to convey the Board's need for the copies, please be assured that, if timely submitted, any correspondence and attachments will be reviewed and, if appropriate, information submitted may be included in the report of the assigned consultant.

Please do not hesitate to contact the Board at (916) 263-7843 should you have questions.

Sincerely,

Pam Hinckley, R.N. M.S.N.

Pam Hinckley
Nursing Education Consultant

Attachments