

Agenda Item #8.A.3.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GOVERNOR EDMUND G. BROWN JR.
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: January 30, 2014

TO: Board Members

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

SUBJECT: Bethesda University of California Vocational Nursing Program –
Reconsideration of Provisional Approval. (Director: Delores Terriquez, Anaheim,
Orange County, Private)

On May 11, 2012, the Board placed the Bethesda University of California, Vocational Nursing Program on provisional approval for the two – year period from May 11, 2012, through May 30, 2014. The program was required to admit no additional students without prior approval by the full Board. These actions were taken due to the program's noncompliance with regulatory requirements regarding program pass rates as set forth in 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 approved vocational nursing schools for the same period.”

Reconsideration of the program's status was scheduled for May 2014.

On May 16, 2014, the Board extended the program's provisional approval for the one (1) year period from May 16, 2014 through May 30, 2015, and issued a notice identifying specific areas of non-compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.

On September 12, 2014, the Board reconsidered the program's provisional status based on a report of an unannounced onsite inspection. The Board deferred action on the program's provisional status to the November 2014 Board agenda.

On November 21, 2014, the Board deferred action on the program's provisional status to the February 2015 Board agenda and continued the program's requirement to obtain approval by the full Board prior to the admission of additional students.

The program is requesting approval to admit 20 full-time students on May 4, 2015, graduating May 28, 2016. This class would **replace** students that graduated on November 2, 2013.

On January 28, 2015, the director withdrew the request to admit a class per telephonic communication with the Nursing Education Consultant. On January 29, 2015, the director confirmed her intent to withdraw her request to admit a class.

History of Prior Board Actions

(See Attachment A, History of Board Action)

Enrollment

The program is approved to offer a full-time course of instruction that is 60 weeks in length. The program is required to obtain Board approval prior to the admission of each class. The pattern of admissions for proposed classes is seen in the enrollment table below.

The following table represents **proposed** student enrollment based on proposed class starts and completions. The table indicates a **maximum enrollment of 62 students** for the period from **March 2008 through May 2015**.

ENROLLMENT DATA				
CLASS DATES		# Students Admitted	# Students Current or Completed	Total Enrolled
Start	Completed			
3/08 FT		27	22	22
12/08		31	20	22 + 20 = 42
2/09		25	4	42 + 4 = 46
	2/09 (3/08 Class)		-22	46 - 22 = 24
6/09 FT		17	14	24 + 14 = 38
	12/09 (12/08 Class)		-20	38 - 20 = 18
	2/10 (2/09 Class)		-4	18 - 4 = 14
2/10 FT		27	12	14 + 12 = 26
5/10 (Unapproved-Prev. Cited)		27	21	26 + 21 = 47
	8/10 (6/09 Class)		-14	47 - 14 = 33
10/10 FT (Class E)		7	6	33 + 6 = 39
10/10 PT (Class J) [Unapproved - Transferred from Stanton (Prev. Cited)]		15	12	39 + 12 = 51

ENROLLMENT DATA				
CLASS DATES		# Students Admitted	# Students Current or Completed	Total Enrolled
Start	Completed			
	3/11 (2/10 FT Class)		-12	51 - 12 = 39
3/11 PT (Class L) [Unapproved - Transferred from Stanton (Prev. Cited)]		25	10	39 + 10 = 49
	6/11 (5/10 Class)		-21	49 - 21 = 28
6/11 PT (Class M) [Unapproved - Transferred from Stanton (Prev. Cited)]		14	3	28 + 3 = 31
8/11 FT (Class N) [Unapproved - Transferred from Stanton (Prev. Cited)]		14	14	31 + 14 = 45
10/11 PT (Class F) [Unapproved - Transferred from Stanton (Prev. Cited)]		8	10	45 + 10 = 55
	11/11 (10/10 FT Class)		-6	55 - 6 = 49
3/12 PT (Class G) Unapproved - Prev. Cited		21	13	49 + 13 = 62
	5/12 (10/10 PT Class)		-12	62 - 12 = 50
	7/12 (8/11 FT N Class)		-14	50 - 14 = 36
	9/12 (10/11 FT F Class)		-10	36 - 10 = 26
	10/12 (3/11 PT L Class)		-10	26 - 10 = 16
	1/13 (6/11 PT M Class)		-3	16 - 3 = 13
	11/13 (3/12 PT G Class)		-13	13 - 13 = 0
5/15 Proposed	5/16	20		0 + 20 = 20

Licensing Examination Statistics

The following statistics, furnished by 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 July 2009 through December 2014, specify the pass percentage rates for graduates of Bethesda University of California Vocational Nursing Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®), and the variance of the program's pass rates from state average annual pass rates for the past 22 quarters.

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 [CCR §2530(I)]	Variance From State Average Annual Pass Rate
Jul – Sep 2009	7	6	86%	72%	86%	72%	+14
Oct – Dec 2009	1	0	0%	76%	75%	73%	+2
Jan – Mar 2010	No Candidates Tested			76%	75%	74%	+1
Apr – Jun 2010	10	5	50%	74%	61%	75%	-14
Jul – Sep 2010	8	3	38%	75%	42%	75%	-33
Oct – Dec 2010	9	3	56%	77%	48%	76%	-28
Jan – Mar 2011	7	2	29%	80%	44%	77%	-33
Apr – Jun 2011	2	0	0%	71%	39%	76%	-37
Jul – Sep 2011	6	1	17%	74%	33%	75%	-42
Oct – Dec 2011	16	7	44%	74%	32%	75%	-43
Jan – Mar 2012	7	1	14%	77%	29%	74%	-45
Apr – Jun 2012	1	0	0%	72%	30%	74%	-44
Jul – Sep 2012	5	2	40%	76%	35%	74%	-39
Oct – Dec 2012	3	1	25%	70%	33%	74%	-41
Jan – Mar 2013	6	2	33%	75%	33%	73%	-40
Apr – Jun 2013	12	7	58%	78%	46%	73%	-27
Jul – Sep 2013	10	7	70%	75%	55%	74%	-19
Oct – Dec 2013	7	3	43%	76%	54%	76%	-22
Jan – Mar 2014	5	2	40%	74%	56%	76%	-20
Apr – Jun 2014	11	4	36%	66%	48%	73%	-25
Jul – Sep 2014	6	3	50%	72%	41%	73%	-32
Oct – Dec 2014	4	0	0%	72%	35%	72%	-37

*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.

California Code of Regulations (Code) section 2530 (I), 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 approved vocational nursing schools for the same period.”

Published examination statistics substantiate the program's noncompliance with regulatory requirements from April 2010 through December 2014 (Quarter 2 – 2010 through Quarter 4 – 2014).

Based on the most recent data available (October – December 2014), the program's average annual pass rate is **35%**. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® for the first time during the same period is 72%. The average annual pass rate for the Bethesda University of California Vocational Nursing Program is **37** 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 seven (7), including the program director. Six (6) instructors are available to teach in the clinical area. The director has 100% administration duties.

Based on the proposed enrollment of 20 students, two (2) instructors are required for clinical supervision. Therefore, the current number of faculty is adequate for the current 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 **does not** have clinical facilities adequate as to type and variety of patients treated to provide clinical experiences of like character and quality that are consistent with the approved curriculum. Specifically, as explained below the program lacks Maternity clinical sites. This has been verified by the consultant.

Other Considerations

On May 11, 2012, the Board initially placed the Bethesda University of California, Vocational Nursing Program on provisional approval for the two – year period from May 11, 2012 through May 30, 2014, due to noncompliance with regulatory requirements. **At that time, the program's average annual pass rate was 29%.**

On May 16, 2014, the Board extended the program's provisional approval for the one (1) year period from May 16, 2014 through May 30, 2015 (see Attachment B). **At that time,**

the program's average annual pass rate was 56%. The Board approved the admission of 20 students commencing June 16, 2014.

On June 15, 2014, the Board received notification of the termination of the program director, effective July 9, 2014.

On June 23 – 24, 2014, Board representatives conducted an unannounced onsite inspection to determine the program's compliance with regulatory requirements and required corrections specified in the Notice. Thirteen (13) violations were identified.

On July 21, 2014, the Board approved a new program director.

On August 8, 2014, the Board advised the new director of violations identified during the program inspection and required corrections. The director was requested to submit a report documenting correction of the identified violations by August 29, 2014.

The Board received correspondence from the program director in response to identified violations, as requested.

On September 12, 2014, the Board deferred action on the program's approval status to allow time for the consultant to complete an analysis of the program's responses. The program's status was scheduled for review November 2014.

On November 21, 2014, the Board reconsidered the program's status including additional information presented by the program director and school administrator. The Board deferred action on the program's status to the February 2015 Board meeting in order to complete an analysis of newly submitted information including examination statistics for 2013 program graduates' who completed the NCLEX/PN® through Quarter 4 – 2014.

Status of Program Corrections

As noted previously, 13 violations of the California Code of Regulations were identified during the unannounced program inspection completed on June 23 and 24, 2014. On August 29, 2014, the Board received the director's plan to correct violations identified in the notice dated August 8, 2014.

Of the identified violations, two (2) violations have been corrected. The director has submitted plans of correction to address nine (9) and two (2) are uncorrected. A discussion of the two (2) remaining violations follows:

Violations # 5: **Inadequate resources, specifically, clinical sites to meet program objectives. [Title 16, CCR, section 2530(a)]**

Violation #11: **Inadequate clinical sites as to number, type and variety of patients treated. [Title 16, CCR, section 2534(b); B&PC, section 2882]**

Based on information provided by representatives of the reported clinical sites, Board staff confirmed that the program has inadequate

resources to ensure achievement of educational objectives. Specifically, the program lacks adequate clinical sites in Maternity Nursing.

Status: To date, the program lacks clinical facilities adequate to provide clinical experiences of like character and quality that are consistent with the approved curriculum. Specifically, the program lacks clinical sites to provide clinical experience in Maternity Nursing.

The director is in the process of obtaining facility applications for several identified clinical sites.

In summary, on May 11, 2012, the Board placed the Bethesda University of California, Vocational Nursing Program on provisional approval due to noncompliance with regulatory requirements relative to program pass rates. To date, the program remains non-compliant. The current average annual pass rate is **35%**. As such, it is **37** percentage points **below** the state average annual pass rate.

On November 21, 2014, program representatives presented additional information that purported a marked improvement in licensure examination pass rates of program graduates from 2013. As requested by Board Members, Nursing Education Consultants completed an analysis of published examination statistics for program graduates from 2012 through 2014.

The following table delineates NCLEX-PN® pass rate statistics for students completing the program from February 2010 through November 2013.

Analysis of NCLEX/PN Statistics for Program Graduates 2012 - 2014				
Completions		Program Graduates Tested		
Date	#	# Tested	# Passed	% Passed
3/11 (FT)	12	10	3	30.00%
6/11	21	19	6	31.79%
11/11 (FT)	6	3	0	0.00%
5/12 (PT)	12	12	4	33.33%
10/12 (PT)	10	26*	13	50.00%
1/13(PT)	3	0	0	0.00%
7/12(FT)	14	12	4	33.33%
9/12 (PT)	10*	0	0	0.00%
11/13 (PT)	13	10	7	70.00%
TOTAL	101	92	37	40.22%

*It is noted that there is a discrepancy between the numbers of students graduated, the number of applications submitted to the Board by the program and the number of program graduates approved for testing by the Board, and the number tested and passed, as reported by Pearson Vue, and NCSBN.

The program had two (2) classes graduate in 2013. One (1) class of three (3) students graduated in January 2013. Based on examination statistics reported by Pearson Vue and NCSBN, graduates of the January 2013 class have not taken the licensure examination. Thirteen (13) students graduated in November 2013. Of those graduates,

10 have taken the licensure examination through Quarter 4 - 2014. Seven (7) of the 10 graduates passed the licensure examination and three (3) failed.

Recommendations:

1. Extend Bethesda University of California Vocational Nursing Program provisional approval for a four (4) month period from February 28, 2015, through May 31, 2015, 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 California Code of Regulations.
2. Require the program to secure and submit clinical facility applications for Board approval that are adequate as to number, type, and variety of patients treated to provide clinical experiences in Maternity Nursing of like character and quality for all students by **April 15, 2015**.
3. Contingent on the program securing and obtaining Board approval of adequate clinical facilities by **April 15, 2015**, extend the program's provisional approval to February 28, 2016.
4. Continue to require the program to admit no additional students unless approved by the full Board.
5. Continue to require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. Continue to require the program to comply with all approval 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.
7. Continue to require 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 approval.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
9. Place the program on the **May 2015** Board agenda for reconsideration of provisional approval.

Rationale: The program has been on provisional approval since May of 2012, 2¾ years due to noncompliance with regulatory requirements regarding average annual pass rates. At that time, the program's average annual pass rate was 29%. On May 16, 2014, the Board extended the program's provisional status through May 30, 2015. At that time, the program's average annual pass rate was 56%.

Currently, the program's quarter pass rate is **0%** and the average annual pass rate is **35%**. It is noted that the program's most recent class of 13 graduated in November 2014. Published examination statistics through Quarter 4 – 2014 confirm that of the ten (10) graduates tested, 70% (7 graduates) passed the licensure examination.

On June 23 and 24, 2014, Board representatives made an unannounced school site visit. Thirteen (13) violations of the California Code of Regulations were identified. To date, two (2) violations regarding the inadequacy of clinical sites remain uncorrected.

Based on the improvement in licensure pass rates for the November 2013 class and submitted plans to address identified violations, extension of the program's provisional approval is warranted.

Attachment A: History of Prior Board Actions.

Attachment B: Notice of Provisional Approval dated May 27, 2014.

Agenda Item #8.A.3., Attachment A

BETHESDA UNIVERSITY OF CALIFORNIA VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On February 13, 2008, the Executive Officer approved the College of Medical Arts, Torrance request, to begin a vocational nursing program with an initial full-time class of 30 students commencing February 19, 2008 only; **and** approved the program curriculum for 1590 hours, including 622 theory, and 968 clinical hours.
- On March 5, 2008, the Board was notified that the school had formed a partnership with Centinela Valley School District to offer the program at the Centinela Valley Adult School site and would delay commencement of the first class until March 10, 2008. At that time, the school will be known as the College of Medical Arts, Lawndale, Vocational Nursing Program.
- On November 7, 2008, the program submitted documentation of the school's name change to Stanton University, effective December 1, 2008.
- On December 8, 2008, the Executive Officer approved initial full approval for Stanton University (formerly College of Medical Arts, Torrance, and College of Medical Arts, Lawndale), Vocational Nursing Program for the period from December 8, 2008, through December 7, 2012, and issued a certificate accordingly. Additionally, the Executive Officer approved the program's requests to admit the following classes, thereby increasing the program's frequency of admissions.
 - a. A full-time class of 45 students on February 17, 2009 only, to **replace** students graduating on February 27, 2009.
 - b. A full-time class of 45 students on December 15, 2008 only, graduating December 4, 2009.
- On May 13, 2009, the Executive Officer approved the program's request to admit 45 students into a full-time class on June 15, 2009 only, graduating May 15, 2010.
- On September 17, 2009, the Board received correspondence requesting a change in the program's name to Bethesda Christian University Vocational Nursing Program.
- On October 8, 2009, the Board received electronic notification of the director's resignation, effective October 5, 2009.
- **On October 12, 2009, a new program director was approved.**

- On January 7, 2010, the Executive Officer approved Bethesda Christian University Vocational Nursing Program's request to admit a full-time class of 30 students on January 11, 2010 only, with a projected graduation date of January 13, 2011.
- On June 25, 2010, the program notified the Board that commencement of the January 11, 2010 class was delayed to February 8, 2011.
- On August 6, 2010, the Executive Officer approved Bethesda University of California Vocational Nursing Program's request to admit a full-time class of 30 students on September 13, 2010 only, with a projected graduation date of August 25, 2011, to **replace** students graduating March 16, 2010; and, required the program to obtain Board approval prior to the admission of all classes.
- On May 11, 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 rates for the past five (5) quarters.
- On August 14, 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 rates for the past six (6) quarters.
- On February 22, 2012 the program was notified that its average annual pass rates had fallen more than ten (10) percentage points below the state average annual pass rates for more than seven (7) consecutive quarters. The following information was requested by March 9, 2012.
 - a. Current and projected enrollment.
 - b. Approved faculty.
 - c. Approved clinical facilities.
 - d. Clinical rotation schedule.
 - e. Analysis of the submitted corrective action plan.
- On March 14, 2012, the Board received the program's plan to increase the licensure pass rates.
- **On March 26, 2012, a new program director was approved.**
- On March 28, 2012, the Board forwarded a notice of violation to the program director relative to violations of the California Code of Regulations, sections 2527(b) and 2530(k). The program was required to submit a plan to prevent future violations to the Board by **April 20, 2012**.
- On April 4, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.

- On April 6, 2012, the director submitted a plan to prevent future violations, as referenced on March 28, 2012.
- On April 16, 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 April 17, 2012, the school manager and the director met with the SNEC and NEC at the Board's offices. The focus of the meeting was to inform the Board's representatives of the school's history and request consideration of replacement classes. The NEC provided the new director an orientation to her new role.
- On May 11, 2012, the Board denied Bethesda University Vocational Nursing Program's request to admit a full-time class of 30 students commencing on July 17, 2012, graduating June 19, 2013, to **replace** students who transferred to Bethesda University from Stanton University; **and**, denied the program's request to admit a Part-time class of 30 students on June 11, 2012, graduating December 13, 2013, to **replace** students who transferred to Bethesda University from Stanton University; **and**,

Placed Bethesda University Vocational Nursing Program on provisional approval for the two-year period from May 11, 2012, through May 31, 2014, 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 California Code of Regulations; **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 April 1, 2014; and**,

Required the program to admit no additional students without prior approval by the full Board; **and**,

Required the program to submit follow-up reports in nine months, but no later than **February 1, 2013**, and 21 months, but no later than **February 1, 2014**. The reports shall 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 approval 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 substantive incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval; **and**, advised the program that failure to take any of these corrective actions may cause the full Board to revoke the program's approval; **and**, placed the program on the **May 2014** Board agenda for reconsideration of provisional approval.

- On June 13, 2012, the Board forwarded to the director the Notice of Change in Approval Status.
- On August 17, 2012, the assigned consultant forwarded correspondence requesting submission of eighteen (18) copies of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider
- On September 18, 2012, Board representatives met with program representatives relative to the program's approval status and request to admit students. Program representatives present were: Nanyun Lee, Director, Young Choo Kim, Chief Academic Officer, Mantae Kim, Chief Financial Officer and Mark Treston, Compliance director.
- On October 3, 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 November 9, 2012, the Board denied Bethesda University of California Vocational Nursing Program 's request to admit 30 part-time students into a class commencing on January 10, 2013 and graduating on June 15, 2014; **and** denied the program's request to admit 30 full-time students into a class commencing on March 10, 2013 and graduating on March 20, 2014; and, required the program to continue to obtain full Board approval prior to the admission of each class.
- On March 11, 2013, the assigned consultant forwarded correspondence requesting submission of two (2) copies and a CD or Flash Drive of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider by March 22, 2013.

- On March 22, 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** Bethesda University Vocational Nursing Program's request to admit 20 full-time students into a class commencing on August 5, 2013 and graduating on August 4, 2014; **and** continued the program's requirement to obtain full Board approval prior to the admission of each class.
- On December 6, 2013, the Board received the director's updated plan to improve licensure pass rates.
- On February 28, 2014, the Board **denied** Bethesda University of California Vocational Nursing Program's request to admit 30 full-time students into a class commencing on May 6, 2014; graduating on April 10, 2015 to **replace** students that graduated on October 8, 2012; **and**, continued to require the program to obtain full Board approval prior to the admission of each class.
- On May 16, 2014, the Board **extended** provisional approval for Bethesda University of California Vocational Nursing Program for the one (1) year period from May 16, 2014 through May 30, 2015, and issue a notice identifying specific areas of non-compliance 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 30 full-time students into a class commencing on May 6, 2014; graduating on April 10, 2015 to **replace** students that graduated on October 8, 2012; **and**, approved the program's admission of 20 full-time students into a class commencing on June 16, 2014; graduating on June 5, 2015 to **replace** students that graduated on October 8, 2012, provided that the program has no more than ten (10) students per instructor during clinical experience; **and**, required the program to admit no additional classes without prior approval 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; **and**,

Required the program to submit a follow-up report in four (4) months, but no later than **September 1, 2014**, and nine (9) months, but no later than **February 1, 2015**. The report must include a review of the prior comprehensive analysis, effectiveness of employed interventions, revisions to the original plan, and timeline for implementation and correction; **and**, required the program to comply with all approval 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 2525; **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 approval; **and**, advised the program that failure to take any of these corrective actions may cause the full Board to revoke the program's approval.

- On May 21, 2014, the Board forwarded to the director the Notice of Change in Approval Status, identifying program deficiencies and required corrections.
- On June 23, 24, 2014, Board representatives conducted an unannounced on site survey of the program. Thirteen (13) violations were identified.
- **On July 21, 2014, a new program director was approved by the Board.**
- On August 8, 2014, a notice of violations was sent to the program per Certified and Regular mail. A plan of correction of all violations is due to the Board by August 29, 2014.
- On August 29, 2014, the program submitted a response to violations listed in the August 8, 2014 letter from the Board.
- On September 21, 2014, the Board deferred action on the program's status to allow time for the consultant to review the program's responses to identified violations. Reconsideration was scheduled for November 2014.
- On November 12, 2014, the Board deferred action on the program's status to allow time to review the NCLEX data of program graduates from 2013. Reconsideration was scheduled for February 2015.

Agenda Item #8.A.3., Attachment B



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

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CERTIFIED MAIL

May 27, 2014

Nanyun Lee, B.S., R.N.
Director, Vocational Nursing Program
Bethesda University of California
730 North Euclid Avenue
Anaheim, CA 92801

Subject: Notice of Change in Approval Status

Dear Ms. Lee:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on May 16, 2014, Bethesda University of California Vocational Nursing Program's provisional approval has been extended for the one – year period from May 16, 2014 through May 30, 2015.

The purpose of this letter is to explain the areas of non-compliance found and the corrections required of your program to avoid losing approval completely.

Once you have reviewed this letter, please sign and return the enclosed "Acknowledgement of Change in Approval Status" form by **Friday, June 6, 2014**.

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 approval when that program does not meet all requirements as set forth in this chapter and in Section 2526..."

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 approved vocational nursing schools for the same period..."

The program pass rates of the Bethesda University Vocational Nursing Program for the past 19 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
Jul – Sep 2009	72%	86%	+14
Oct – Dec 2009	73%	75%	+2
Jan – Mar 2010	74%	75%	+1
Apr – Jun 2010	75%	61%	-14
Jul – Sep 2010	75%	42%	-33
Oct – Dec 2010	76%	50%	-27
Jan – Mar 2011	77%	27%	-50
Apr – Jun 2011	76%	22%	-54
Jul – Sep 2011	76%	18%	-58
Oct – Dec 2011	75%	8%	-67
Jan – Mar 2012	74%	29%	-45
Apr – Jun 2012	74%	30%	-44
Jul – Sep 2012	74%	35%	-39
Oct – Dec 2012	74%	33%	-41
Jan – Mar 2013	73%	33%	-40
Apr – Jun 2013	73%	46%	-27
Jul – Sep 2013	74%	55%	-19
Oct – Dec 2013	76%	54%	-22
Jan – Mar 2014	76%	56%	-20

Based on this data, the program failed to meet the average annual pass rate requirement for sixteen (16) consecutive quarters.

REQUIRED CORRECTION(S)

1. The program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
2. The program shall admit no additional classes without prior approval by the full Board.
3. The program will submit a follow-up report in four (4) months, but no later than **September 1, 2014**, nine (9) months but no later than **February 1, 2015**. The report must include a review of the prior comprehensive analysis, effectiveness of employed interventions, revisions to the original plan, and timeline for implementation and correction.
4. The program shall comply with all approval 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 2525.

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

FUTURE BOARD ACTION

Your program will be placed on the **May 2015** Board Meeting agenda for reconsideration of your approval 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.

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 is required to admit classes.

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 approval, 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

Enclosure

TBJ/ph

cc: Board Members



TITLE 16 CALIFORNIA CODE OF REGULATIONS

2526.1. Provisional Approval.

- (a) Provisional approval 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 approval shall be granted for a period determined by the Board.
- (c) The Board may place any program on provisional approval 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 approval period, provisional approval 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 approval 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 approval.
- (e) A program placed on provisional approval 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 approval.
- (f) A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional approval.
- (g) A program whose provisional approval has been revoked shall be removed from the Board's list of approved 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 approved 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.



BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

2535 Capitol Oaks Drive, Suite 205, Sacramento, CA 95833-2945
Phone (916) 263-7800 Fax (916) 263-7855 Web www.bvnpt.ca.gov



May 27, 2014

TO: Education Division

FROM: Bethesda University of California Vocational Nursing Program

SUBJECT: Acknowledgement of Receipt of Board Meeting Materials

I, hereby acknowledge receipt of the following documents with attachments memorializing Board decisions rendered at the May 16, 2014 Board Meeting.

➤ **Bethesda University of California Vocational Nursing Program.**

1. Notice of Provisional Approval.
2. California Code of Regulations Excerpt Section 2526.1. Provisional Approval.
3. Certificate of Provisional Approval.
4. Acknowledgement of Change in Approval Status.

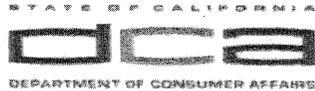
Please sign and fax the Acknowledgement of Receipt of Board Meeting Materials to the Board at (916) 263-7866 by Friday, June 6, 2014.

(Signature, Director)

(Date)

Name of Program: _____

**Please complete this form and fax to the Board at
(916) 263-7866 by Friday, June 6, 2014.**



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

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive Suite 205, Sacramento, CA 95833-2945
Phone 916-263-7800 Fax 916-263-7855 Web www.bvnpt.ca.gov



CERTIFICATE OF PROVISIONAL APPROVAL

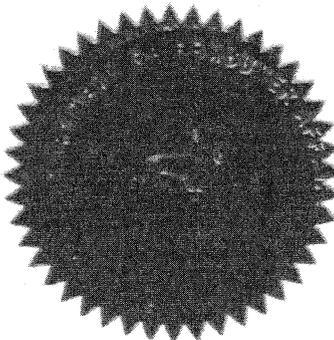
for

Bethesda University of California Vocational Nursing Program

This document reflects that the Board of Vocational Nursing and Psychiatric Technicians (Board) has provisionally approved the above-named program pursuant to Article 5 of the Vocational Nursing Practice Act and the Board's Rules and Regulations. A copy of documents related to the provisional approval may be obtained by contacting the Board at the address above. A candidate's completion of an approved vocational nursing program is partial fulfillment of requirements for the vocational nurse licensure examination.

Effective: May 16, 2014


Todd D'Braunstein, P.T.
President



Expires: May 30, 2015


Teresa Bello-Jones
Executive Officer



Acknowledgement of Change in Approval Status

I, Nanyun Lee, director of Bethesda University of California Vocational Nursing
(Director's Name) (Name of Program)

Program hereby acknowledge that this program's provisional status has been extended through May 30, 2015. 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 approval while on provisional approval as "material misrepresentation of fact." "Material misrepresentation of fact" may lead to revocation of the program's approval. Further, I understand the program's provisional approval status will be reflected on the Board's internet website.

Please complete and return this form to the Board by Friday, June 6, 2014.

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

Nanyun Lee
(Signature of Director)

June 19, 2014
(Date)



May 27, 2014

TO: Education Division

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(Signature, Director)

June 19, 2014

(Date)

Name of Program: Bethesda University of CA Vocational Nursing Program

**Please complete this form and fax to the Board at
(916) 263-7866 by Friday, June 6, 2014.**