

Agenda Item #7.A.1.



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

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: April 28, 2015

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; Consideration of Request to Admit
Students. (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.

On February 13, 2015, the Board extended Bethesda University of California Vocational Nursing Program's provisional approval for a four (4) month period from February 28, 2015, through May 31, 2015. The program was required 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 of like character and quality in Maternity Nursing by **April 15, 2015**.

The program requests Board approval to admit 20 full-time students on July 13, 2015, graduating August 17, 2016.

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 approval by the full Board 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 July 2015**. It is noted that the program has reported that no students have been enrolled since November 2013.

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

ENROLLMENT DATA				
CLASS DATES		# Students Admitted	# Students Current or Completed	Total Enrolled
Start	Completed			
10/10 PT (Class J) [Unapproved - Transferred from Stanton (Prev. Cited)]		15	12	39 + 12 = 51
	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
7/15 Proposed	8/16	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 March 2015, 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 23 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
Jan – Mar 2015	No Candidates Tested			73%	33%	71%	-38

*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 March 2015 (Quarter 2 – 2010 through Quarter 1 – 2015), 20 of the 23 quarters for which licensure data is available for the program.

Based on the most recent data available (January – March 2015), the program's average annual pass rate is **33%**. 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 71%. The average annual pass rate for the Bethesda University of California Vocational Nursing Program is **38** 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 full – time students on July 13, 2015, 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** 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. The adequacy of clinical facilities has been verified by the consultant.

Other Considerations

The Bethesda University of California, Vocational Nursing Program was initially placed on provisional approval by the Board 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 through May 30, 2015. **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.

Following the November 21, 2014 Board meeting, the program requested approval to admit 20 full – time students on May 4, 2015, graduating May 28, 2016, to **replace** students that graduated on November 2, 2013. Subsequently, on January 28, 2015, the director withdrew the request per telephone communication with the Nursing Education Consultant. The director confirmed her intent to withdraw her request to admit a new class on January 29, 2015.

On February 13, 2015, the Board extended the program's provisional approval for a four (4) month period from February 28, 2015, through May 31, 2015; **and**, required 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 of like character and quality for all students in Maternity Nursing by **April 15, 2015**. Contingent on the program securing and obtaining Board approval of adequate clinical facilities by April 15, 2015, the Board extended the program's provisional approval to February 28, 2016, and scheduled reconsideration of the program's status for the May 2016 Board meeting. (See Attachment B)

On February 3 and 25, 2015 the Board approved new clinical sites that offer clinical experience in Maternity Nursing. Based on the approval of new clinical sites, the program

currently has adequate clinical sites to provide clinical experience of like character and quality in all areas of the approved curriculum for the proposed class of 20 students.

➤ **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, six (6) violations have been corrected. The director has submitted plans of correction to address the remaining seven (7) violations. As such, all violations are considered finalized.

➤ **Licensure Pass Rate Information**

As previously stated, 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. **At that time, the program's average annual pass rate was 29%.** To date, the program remains non-compliant, with a current average annual pass rate of **33%**. As such, the program's average annual pass rate is **38** percentage points **below** the state average annual pass rate for first – time candidates from approved vocational nursing programs.

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%
7/12 (FT)	14	12	4	33.33%
9/12 (PT)	10*	0	0	0%
10/12 (PT)	10	26*	13	50.00%
1/13 (PT)	3	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.

According to enrollment information submitted by the previous and current program directors, the program graduated two (2) classes in 2013, including one class of three (3) students in January and a second class of thirteen (13) students in November. However, statistics for three (3) graduates from a December 2012 class are reported by Pearson Vue, all of whom passed the licensure examination. Published examination statistics confirm that graduates of the January 2013 class have not taken the licensure examination to date. According to the current Director, these three (3) graduates were previously reported to the Board to have graduated in January 23, 2013; however, the class actually graduated on December 19, 2012. (See Attachment C).

In addition, published examination statistics through Quarter 1 – 2015, confirm that ten (10) graduates have taken the licensure examination from the November 2013 class. Seven (7) of the 10 graduates passed the licensure examination and three (3) failed. To date, the remaining three (3) graduates have not tested.

➤ **Inconsistencies in Reported Program Information**

It is important to note, that inconsistencies have been identified in information submitted to the Board by the program. Specifically, inconsistencies are identified in the enrollment tables submitted by the program relative to graduation dates.

In addition to the class graduation discrepancy listed above, the program reported on the enrollment table submitted in preparation for writing of this report and minimally five (5) prior reports that a class graduated in September 2012. However, to date, no graduates have tested from this reported class, but it is noted that more than the number enrolled graduated from the part-time class graduating in October 2012 (see table above).

The director submitted enrollment information stating that ten (10) graduates completed the class; however, based on published examination, 26 graduates from this class completed the licensure examination, 16 more than the total reported as accepted into the class. Although it has not been verified that the 10 graduates from the September 2012 class are part of the October 2012 graduates, it is unclear where the extra 16 candidates came from. If the 10 graduates from the September 2012 class were included with the October 2012 class graduates, that would account for 10 of the 16 extra graduates in this class. However, it remains unclear where the remaining six (6) graduates came from.

Given the foregoing, the program is in violation of Section 2526.1 of the California Code of Regulations, which states:

“A material misrepresentation of fact by a vocational nursing program in any information submitted to the Board is cause for revocation of provisional approval.”

Recommendations:

1. Extend Bethesda University of California Vocational Nursing Program provisional approval for the **two (2) month period from June 1, 2015, through July 30, 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 submit for Board approval a revised curriculum that is compliant with statutory and regulatory requirements and established professional standards by **June 15, 2015**.
3. Contingent on the program's submission and Board approval of a revised curriculum, extend Bethesda University of California Vocational Nursing Program's provisional approval for the **ten (10) month period from August 1, 2015, through May 31, 2016**, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced Section 2526.1(e) of the California Code of Regulations.
4. Contingent on the program's submission and Board approval of a revised curriculum, approve the program's request to admit a class of 20 full-time students on **July 13, 2015**, graduating August 17, 2016.
5. Require the program director to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation by **July 20, 2015**.
6. Require the program to maintain a 1:10 instructor to student ratio for all skills laboratory and clinical site rotations.
7. Continue to require the program to admit no additional students unless approved by the full Board.
8. 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.
9. Require the program to submit follow-up reports in five (5) months, but no later than **October 1, 2015**, and ten (10) months, but no later than **March 1, 2016**. 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
10. 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.
 11. 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.
 12. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
 13. Place the program on the **May 2016** Board agenda for reconsideration of provisional approval.

Rationale: Bethesda University of California Vocational Nursing Program has been scheduled for the last six (6) consecutive Board meetings to address reconsideration of the program's provisional approval status and its request to admit students. The most recent Board meeting, in February 2015, identified that the last class of 13 students had ten (10) graduates test and seven (7) pass the licensure examination. Although improvement was identified, it was noted that published statistics substantiate that from 2012 through 2014, 40.22% of program graduates passed the NCLEX/PN. Further, prior to the November 2013 class, the percentage of program graduates passing the NCLEX/PN ranged 0% to 50%. Board members denied the program's request to admit students pending the NCLEX-PN® results for the remaining 2013 graduates. At this time, published examination statistics confirm that none of the remaining six (6) graduates from the 2013 classes have completed the licensure examination. The program's current average annual pass rate is 33%. As such, it is 38 percentage points **below** the state average annual pass rate.

In an attempt to clarify graduation dates, an analysis of submitted program enrollment data was conducted. Inconsistencies were found in the program reported information. It is concerning, that enrollment data submitted by the program relative to graduation dates and numbers of graduates per class, is inconsistent with information submitted to the Board's Licensing Division by the program, and NCLEX statistics for the program as published by Pearson Vue (see above).

A new director was approved by the Board on May 21, 2014. Since that approval, all violations identified during the June 23rd and 24th, 2014 school site visit have been either corrected or have a plan in place to prevent future violations. The director is in the process of revising the program's curriculum. At the time the report was finalized, the Board had received the Director's revised curriculum; however, the curriculum was returned to the Director for additional revisions. As such, the recommendation to approve a class of 20 students is made contingent on the program's completion and Board approval of the revised curriculum.

Should further inconsistencies and misrepresentations in documents and materials be submitted by the program, revocation of program approval may be warranted.

Attachment A: History of Prior Board Actions.

Attachment B: Notice of Provisional Approval Dated February 23, 2015.

Attachment C: Program Electronic Correspondence Dated April 22, 2015.

Agenda Item #7.A.1., 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.
 - b. A full-time class of 45 students on February 17, 2009 only, to **replace** students graduating on February 27, 2009.
 - c. 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.
14. Attendance Policy.
 15. Remediation Policy.
 16. Evaluations of Theory and Clinical Faculty.
 17. Evaluations of Theory Presentations.

18. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
19. Evaluation of Student Achievement.
20. 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.
- On January 28, 2015, the director withdrew the request to admit a full – time class of 20 full – time students on May 4, 2015, graduating May 28, 2016, to **replace** students that graduated on November 2, 2013, per telephone communication with the Nursing Education Consultant.
- On January 29, 2015, the director confirmed her intent to withdraw the request to admit a new class.
- On February 13, 2015, the Board extended Bethesda University of California Vocational Nursing Program provisional approval for the four (4) month period from February 28, 2015, through May 31, 2015, 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** required 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; and** 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; **and** continue to require the program to admit no additional students unless approved by the full Board; **and** 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; **and** 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; **and** 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; **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** place the program on the **May 2016** Board agenda for reconsideration of provisional approval.

- On February 23, 2015, the Board forwarded a Notice of Change in Approval Status advising the program of identified deficiencies and required corrections.
- On March 25, 2015, the Board received correspondence from the director with supporting documents requesting approval to admit a class.

Agenda Item #7.A.1., Attachment B



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

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



CERTIFIED MAIL

February 23, 2015

Delores Terriquez, M.N.S., M.B.A., H.C., 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. Terriquez:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on February 13, 2015, Bethesda University of California Vocational Nursing Program's provisional approval has been extended for the one – year period from February 28, 2015 through May 31, 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 **Monday, March 2, 2015**.

AREAS OF NON-COMPLIANCE [VIOLATION(S)]

In accordance with Section 2526.1(c) of the Vocational Nursing Rules and 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 2526(a)(8) of the Vocational Nursing Rules and Regulations states:

"The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (8) Evaluation methodology for curriculum.

Section 2526(a)(11) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (11) Evaluation methodology for clinical facilities.”

Section 2526(a)(12) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (12) Admission criteria.

Section 2526(a)(13) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (13) Screening and selection criteria.

Section 2526(a)(16) of the Vocational Nursing Rules and Regulations states:

“The institution shall apply to the Board for approval. Written documentation shall be prepared by the director and shall include:

... (16) List of resources for provision of counseling and tutoring services for students.

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

“The program shall have sufficient resources, faculty, clinical facilities, library, staff and support services, physical space, skills laboratory and equipment to achieve the program’s objectives.”

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

“Regular faculty meetings shall be held. Minutes shall be available to the Board’s representative.”

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

“Each school shall have an attendance policy approved by the Board. The policy shall include but not be limited to, criteria for attendance and the specific course objectives for which make-up time is required. Acceptable methods for make-up include:

(1) Theory: case studies, independent study, written examination, attendance at seminars or workshops, auto-tutorial laboratory, and research reports.

- (2) Clinical: performance evaluation in skills laboratory or additional time in the clinical area with clients/patients.”

“The school shall evaluate student performance to determine the need for remediation or removal from the program.”

Section 2530(l) of the Vocational Nursing Rules and 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...”

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

“Schools are responsible for the continuous review of clinical facilities to determine if the student’s clinical objectives for each facility are being met.”

The program pass rates of the Bethesda University Vocational Nursing Program for the past 22 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
Apr – Jun 2014	76%	48%	-25
Jul – Sep 2014	73%	41%	-32
Oct – Dec 2014	72%	35%	-37

Based on this data, the program failed to meet regulatory requirements for vocational nursing programs. Further, the program failed to meet the average annual pass rate requirement for nineteen (19) consecutive quarters.

REQUIRED CORRECTION(S)

1. The Bethesda University of California Vocational Nursing Program shall 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**.
2. The program shall admit no additional students unless approved by the full Board.
3. The program shall bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
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 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 approval.
6. Failure of the program 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 2016** Board Meeting agenda, at which point the Board may revoke or extend the program's provisional approval. 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 4, you must submit this documentation 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

Notice of Change in Approval Status
Bethesda University of California
Vocational Nursing Program
February 23, 2015
Page 5 of 5

previously approved by the Board. The established pattern of admissions approved by the Board is as follows: **Prior approval by the full Board is required to admit additional students.**

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 approval 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
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February 23, 2015

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 February 13, 2015 Board Meeting.

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

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

Please sign and fax the ***Acknowledgement of Receipt of Board Meeting Materials*** to the Board at (916) 263-7866 by Monday, March 2, 2015.

(Signature, Director)

(Date)

Name of Program: _____

***Please complete this form and fax to the Board at
(916) 263-7866 by Monday, March 2, 2015.***



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

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Phone 916-263-7800 Fax 916-263-7855 Web www.bvnpt.ca.gov



CERTIFICATE OF PROVISIONAL APPROVAL

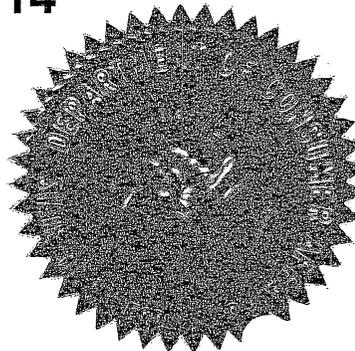
for

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: February 28, 2014

Todd D'Braunstein, P.T.
President



Expires: February 28, 2016

Teresa Bello-Jones
Executive Officer

Agenda Item #7.A.1., Attachment C

From: Delores Terriquez [mailto:dterriquez@buc.edu]

Sent: Wednesday, April 22, 2015 2:21 PM

To: Hinckley, Pam@DCA; Hyunhye Kim

Subject: Re: Bethesda University

Hi Pam,

Three students graduated December 2012. The documents I emailed you yesterday were of that cohort (M). Two of the three graduates passed their Board exam the first time (all three had the ATI green light). They were the second to the last cohort to graduate.

Thanks for addressing this,

Delores Terriquez, RN, MSN/MBA/HC
Director of Nursing

Bethesda University

730 N. Euclid St.

Anaheim, CA 92801

email: dterriquez@buc.edu

Direct line 714-683-1462

On Wed, Apr 22, 2015 at 2:08 PM, Hinckley, Pam@DCA <Pam.Hinckley@dca.ca.gov> wrote:

Delores,

How many students graduated in December 2012. Here lies part of the problem. The information Nanyun Lee reported to the Board is in error. We are looking for January 2013 graduates and of course there are none! I am sure this is why the graph that was done has so many discrepancies.

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

Board of Vocational Nursing and Psychiatric Technicians

2535 Capitol Oaks Drive, Suite 205

Sacramento, CA 95833

Pam.hinckley@dca.ca.gov

(916) 263-7840

From: Delores Terriquez [mailto:dterriquez@buc.edu]

Sent: Wednesday, April 22, 2015 11:08 AM

To: Hinckley, Pam@DCA; Hyunhye Kim

Subject: Re: Bethesda University

Hi Pam,

I hope I can clarify this and I'm sorry for the confusion. My administrative assistant told me that Group M finished one month earlier than the grad date of 1/23/13. They graduated on 12/19/2012, and met all theory and clinical hours. This date (12/19/2012) is the date listed on the Record of Nursing program for those graduates. They are the second to the last group to graduate. The group that graduated before group M is group L and their grad date was 10/22/2012.

The only and last group that graduated during 2013 is group G. Their graduation date was November 02, 2013. No other groups graduated during 2013.

Thank you,

Delores Terriquez, RN, MSN/MBA/HC

Director of Nursing

Bethesda University

730 N. Euclid St.

Anaheim, CA 92801

email: dterriquez@buc.edu

Direct line [714-683-1462](tel:714-683-1462)

On Tue, Apr 21, 2015 at 3:34 PM, Hinckley, Pam@DCA <Pam.Hinckley@dca.ca.gov> wrote:

Delores,

These are graduates from the 2012 class not the 2013 class. We are not focusing on the 2012 graduates. We are focusing on the two (2) classes that graduated in 2013.

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

Board of Vocational Nursing and Psychiatric Technicians

2535 Capitol Oaks Drive, Suite 205

Sacramento, CA 95833

Pam.hinckley@dca.ca.gov

[\(916\) 263-7840](tel:916-263-7840)

From: Delores Terriquez [mailto:dterriquez@buc.edu]

Sent: Tuesday, April 21, 2015 11:25 AM

To: Hinckley, Pam@DCA; Hyunhye Kim

Subject: Bethesda University

Pam,

Per your request, attached are the documents you requested regarding the 1/2013 cohort. They actually graduated 12/19/201 according to the Record of Nursing Program. All three tested after receiving the ATI green light. Two passed and one failed the first time.

Let me know if you need any other information.

Thank you,

Delores Terriquez, RN, MSN/MBA/HC

Director of Nursing

Bethesda University

730 N. Euclid St.

Anaheim, CA 92801

email: dterriquez@buc.edu

Direct line [714-683-1462](tel:714-683-1462)