

Agenda Item #21.A.2.



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

BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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DATE: November 6, 2017

TO: Board Members

FROM: Faye Silverman, R.N., M.S.N./Ed., W.O.C.N., P.H.N.
Nursing Education Consultant

SUBJECT: Angeles College of Nursing Vocational Nursing Program Requests Reconsideration of Provisional Approval; and Request to Admit Students (Director: Mary McHugh, Los Angeles, Los Angeles, Private)

The Angeles College of Nursing Vocational Nursing Program is presented for reconsideration of provisional approval and consideration of a request to admit one (1) full-time class of **20** students on **January 22, 2018**, with a projected graduation date of **February 15, 2019**, to replace the full-time class which is scheduled to graduate on March 9, 2018. Full approval of the program and approval of the requested class are recommended.

The program's provisional approval, initially established in 2012, was extended by the Board at its January 23, 2017, meeting through February 28, 2018.

That action was taken due to the program's noncompliance with regulatory requirements relative to program pass rates on the NCLEX-PN® licensure examination.

History of Prior Board Actions

(See Attachment A, History of Board Action.)

Enrollment

The program offers a 42-week full – time course of instruction and a 60-week part – time course of instruction. The program is required to obtain approval by the full Board prior to the admission of students. The pattern of admissions for current and proposed classes is seen in the enrollment table below.

The following table represents **current and proposed** student enrollment based on class starts and completions. The table indicates a **maximum enrollment of 50 students** from **March 2017 through March 2018**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Complete			
3/17 FT Day (Class#37) (*3/9/18)		10	10	10
9/7/17 FT Day (Class#38) (*10/9/18)		20	20	10 + 20 = 30
1/22/18 FT Day (Proposed) (Class#39) (*2/15/19)		20	20	30 + 20 = 50
	3/9/18 (Class # 37) Class of 3/17)		-10	50 - 10 = 40

*Indicates projected graduation date.

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 Oct 2015 through September 2017, specify the pass percentage rates for graduates of the Angeles College of Nursing 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 eight (8) 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(l)]	Variance from State Average Annual Pass Rate
Oct - Dec 2015	1	0	0%	75%	57%	72%	-15
Jan - Mar 2016	0	0	0%	73%	57%	72%	-15
Apr - Jun 2016	0	0	0%	75%	33%	74%	-41
Jul - Sep 2016	5	3	60%	76%	50%	75%	-25
Oct - Dec 2016	1	1	100%	70%	67%	74%	-7
Jan - Mar 2017	7	6	86%	72%	77%	73%	+4
Apr - Jun 2017	4	4	100%	68%	82%	74%	+8
Jul - Sep 2017	4	1	25%	74%	78%	71%	+7

*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 section 2530(l) 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.”

Based on the most recent data available (July - September 2017), the program's average annual pass rate is **78%**. 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 Angeles College of Nursing Vocational Nursing Program is **seven (7) percentage points above** 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.”

At its January 23, 2017 meeting, the Board set forth a requirement that the program to provide no less than one (1) instructor for every ten (10) students in clinical classes.

The current number of Board-approved faculty totals **twelve (12)**. The current Director of Nursing has 20% teaching and 80% administrative responsibility. This school has one additional faculty. Based on the above information, the program has **ten (10)** instructors designated to teach clinical classes.

Faculty stability was identified with seven (7) faculty members being employed for 0 – 2 years. Three (3) faculty members were employed for 2 – 5 years. Two (2) faculty members were employed for 6 – 10 years. The approved director position and five (5) faculty are full time and six (6) faculty work part time.

Based on a maximum enrollment of 50 students, **five (5)** instructors are required for clinical supervision. Therefore, the current number of faculty is **adequate** for the current and proposed enrollment.

Section 2534(b) of the California Code of 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.”

Board files substantiate the approval of clinical facilities **adequate** as to type and variety of patients treated to enable current and proposed students to meet clinical objectives in accordance with Section 2534(b) of the Vocational Nursing Rules and Regulations.

Other Considerations

On June 10, 2014, the Board approved a new director

On January 7, 2015, the director submitted the program's action plan to increase NCLEX-PN® pass rates.

On February 13, 2015, the Board extended the program's provisional approval for the one (1) year period from March 1, 2015 to February 28, 2016.

On September 4, 2015, the Director reported to the Board that the program had offered the virtual ATI® program to all past graduates; all past graduates who completed the virtual ATI® remediation passed the NCLEX-PN® on the first attempt; and graduates who did not take advantage of the remediation continue to fail the NCLEX-PN®. Additionally, the director reported that the program paid the NCLEX/PN® registration fee for all graduates who scheduled the test upon completion of the virtual ATI® program.

On January 23, 2017, the Board extended the program's provisional approval through February 28, 2018. At that time, the program's average annual pass rate was **67%**. It was noted that the program's average annual pass rate was 20 percentage points **above** that when initially placed on provisional approval.

Based on the most recent data available (July - September 2017), the program's average annual pass rate is **78%**. 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 Angeles College of Nursing Vocational Nursing Program is **seven (7) percentage points above** the state average annual pass rate.

Recommendations:

1. Grant full approval of the Angeles College Vocational Nursing Program for the four-year period from November 17, 2017, through November 16, 2021, and issue a certificate accordingly.
2. Approve the Angeles College Vocational Nursing Program's request to admit **one (1)** full-time class of **20** students on January 22, 2018, with a projected graduation date of February 15, 2019, **only**.
3. Continue the program's requirement to admit no additional classes without prior approval by the full Board.
4. Continue to require the program, when requesting approval to admit students, to:

- a. Submit all documentation in final form, using the forms provided by the Board, no later than two (2) months prior to the requested start date for the class.
- b. Provide documentation that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.

Rationale: Based on the most recent data available (July 2017 through September 2017), the program's average annual pass rate is **78%**, which is **7** percentage points **above** the state average annual pass rate. The program now has **four (4)** consecutive quarters of being in compliance with California Code of Regulations section 2530(l).

An improvement plan was implemented by the program in late 2015. The program has made incremental progress to improve the annual pass rate for graduates who took the NCLEX-PN® Licensure Examination for the first time.

Given the foregoing, approval of the program's request for full approval and admission of one class is supported.

Board staff will continue to monitor closely the program's effectiveness by tracking class admissions, the program's follow-up reports, the effectiveness of employed interventions, and the program's licensure examination pass rates each quarter.

Attachment A: History of Prior Board Actions.

Agenda Item #21.A.2., Attachment A

ANGELES COLLEGE OF NURSING VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- On November 2, 2006, the Executive Officer approved the Angeles College of Nursing's request to begin a vocational nursing program with an initial class of 15 students on November 6, 2006, only; and approved the program curriculum for 1557 hours, including 590 theory, and 967 clinical hours.
- **On March 28, 2007, the Board approved a new program director.**
- On May 21, 2007, the assigned consultant inspected the program to determine compliance with Article 5 of the Vocational Nursing Rules and Regulations. Four (4) violations were noted.
- On July 10, 2007, the Executive Officer approved initial full accreditation for the Angeles College of Nursing Vocational Nursing Program for the period from July 10, 2007, through July 9, 2011, and the Board will issue a certificate accordingly; approved the program to admit a full-time class of 15 students to start on October 22, 2007, only, to **replace** students graduating on October 12, 2007; approved the program to admit an additional full-time class of 15 students to start on July 23, 2007, only; and approved the program to admit a part-time class of 15 students on August 6, 2007, only.
- On February 8, 2008, the Executive Officer approved the program's request to admit a full-time class of 15 students commencing February 19, 2008, only, with an anticipated graduation date of March 20, 2009.
- On March 4, 2008, the Executive Officer approved the following requests:
 1. Request to admit a part-time class of 15 students commencing April 15, 2008, with an anticipated graduation date of August 22, 2009.
 2. Request to admit a part-time class of 15 students commencing November 24, 2008, with an anticipated graduation date of March 27, 2010.
 3. Request to admit a full-time class of 15 students commencing May 12, 2008, with an anticipated graduation date of May 28, 2009.
 4. Request to admit a full-time class of 15 students commencing August 11, 2008, with an anticipated graduation date of August 14, 2009.
 5. Request to admit a full-time class of 15 students commencing November 17, 2008, with an anticipated graduation date of November 20, 2009.
 6. Request for ongoing admissions of four full-time classes of 15 students per year, to replace graduating classes; and two part-time classes of 15 students per year, to replace graduating classes.

- **On April 3, 2008, the Board approved a new Director**
- On October 14, 2011, the program was notified that the program's average annual pass rate had fallen below ten (10) percentage points of the state average annual pass rate for the past five (5) quarters.
- On November 4, 2011, the Board received the program's plan to increase pass rates.
- On February 22, 2012, the program was notified that the program's average annual pass rate had fallen below ten (10) percentage points of the state average annual pass rate for the past seven (7) quarters.
- On May 7, 2012, the program was notified that the program's average annual pass rate had fallen below ten (10) percentage points of the state average annual pass rate for the past eight (8) quarters. The program was required to submit a plan to correct the deficiency by June 18, 2012.
- **On May 22, 2012, a new director was approved by the Board.**
- On June 7, 2012, the Board received the program's plan to increase its licensure pass rates.
- On August 7, 2012, the program was notified that the program's average annual pass rate had fallen below ten (10) percentage points of the state average annual pass rate for the past nine (9) quarters. The program was required to submit a plan to correct the deficiency by August 24, 2012.
- On August 17, 2012, the assigned consultant forwarded correspondence requesting submission of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.
- On September 20, 2012, the Board received correspondence from the program director and eighteen (18) copies of the requested information.
- On November 9, 2012, the Board placed the Angeles College of Nursing Vocational Nursing Program on provisional approval for the two-year period from November 9, 2012, through November 30, 2014, 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**, rescinded approval of the program's ongoing admissions; **and**, Approved the program's admission of 15 students into an evening class beginning on January 21, 2013, only, graduating May 21, 2014, to **replace** students who graduated October 4, 2012, **pending** submission of a revised curriculum, by November 12, 2012, and Board approval of the new curriculum; **and**, delegated to the Executive Officer discretionary authority to approve the program's part – time and full – time curriculum; **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

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**, required the program to submit follow-up reports in nine months, but no later than August 1, 2013, and 21 months, but no later than August 1, 2014. The reports must include a comprehensive analysis of the program, specific actions taken to improve program pass rates, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.

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

Required the program to comply with all 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**, 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 November 2014 Board agenda for reconsideration of provisional approval.

- On February 13, 2013, the Executive Officer approved the program's curriculum for 1800 hours, including 750 theory and 1050 clinical hours for the full-time program; **and**, continued to require the program to obtain prior Board approval to admit students.
- On March 11, 2013, the assigned consultant forwarded correspondence requesting submission of two (2) copies and one (1) CD or Flash drive of pertinent documents, plan, and subsequent actions taken to correct identified problems that they desire Board members to consider.
- On March 13, 2013, the Board received correspondence from the program director and two (2) copies and a CD of the requested information.
- On May 10, 2013, the Board denied the program's request to admit a day class of 15 students on May 20, 2013; completing on May 28, 2014, **replacing** the class that will graduate February 22, 2013; **and** denied the program's request to admit an evening class of 15 students on June 25, 2013; completing on November 22, 2014, **replacing**

the class that will graduate on March 31, 2013; and required the program to continue to obtain prior Board approval to admit students.

- On July 31, 2013, the director submitted the required comprehensive analysis.
- On November 6, 2013, the Board approved the program's request to admit a day class of 15 students on January 20, 2014, only; completing on January 16, 2015, **replacing** the class that graduated August 29, 2013; and denied the program's request to admit an evening class of 15 students on March 4, 2014; completing on August 21, 2015 **replacing** the class that will graduate on December 14, 2013; and continued to require the program to obtain prior Board approval to admit students.
- **On June 10, 2014, the Board approved a new director.**
- On June 10 and 11, 2014 an unannounced site visit was conducted. Eight (8) violations of the California Code of Regulations were identified.
- On July 11, 2014, the Board received the Director's plan to correct identified violations.
- On November 21, 2014 the Board extended Angeles College of Nursing Vocational Nursing Program's provisional approval for the three (3) month period from December 1, 2014 to February 28, 2015; and denied the program's request for approval to admit a class of 20 full - time students commencing on February 9, 2015, only, graduating February 26, 2016, to replace students scheduled to graduate January 13, 2015; and required the program to admit no additional students without prior approval 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 continued to require the program to correct deficiencies identified during the onsite visit and submit documentation confirming correction no later than December 15, 2014; and required the program to submit a follow – up report by December 15, 2014. 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 continued 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, continued 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; 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 February 2015 Board agenda for reconsideration of provisional approval.
- On December 16, 2014, the Board received the required follow-up report from the director.
- On February 13, 2015, the Board extended the program's provisional approval for the one (1) year period from March 1, 2015 to February 28, 2016. Approved the program's request to admit 20 students commencing on April 6, 2015, graduating May 20, 2016, only, to **replace** students scheduled to graduate on January 23, 2015. Required 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 April 17, 2015. Required the program to admit no additional students without prior approval by the full Board. Continued 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. Continued 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. Continued 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. Failure to make any of these corrective actions may cause the full Board to revoke the program's approval. Additionally, the Board placed the program on the **February 2016** Board agenda for reconsideration of provisional approval.

- On November 20, 2015, the Board **approved** the program's request to admit 20 students into a full – time day class commencing on January 4, 2016, graduating March 3, 2017, only; **and, required** 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 within 15 days of the commencement of the class. **Continued** the program's requirement to admit no additional students without prior approval by the full Board; **and, continued** 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, continued** 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, continued** the program's placement on the agenda of the Board's **February 2016**, meeting, for reconsideration of provisional approval.
- On January 25, 2016, the Board **approved to extend** Angeles College of Nursing Vocational Nursing Program's provisional approval for one year from February 28, 2016 – February 27, 2017. Place the program on the agenda of the Board's **February 2017**, meeting for reconsideration of provisional approval. Deny the program's request to admit 20 students into a full – time day class commencing on May 9, 2016, graduating June 12, 2017, only. Continue the director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days of the commencement of a class. Continue the program's requirement to admit no additional classes without prior approval by the full Board. 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. 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.

- On January 23, 2017, the Board **approved to extend** Angeles College of Nursing Vocational Nursing Program's provisional approval for one year from February 27, 2017 – February 28, 2018. Place the program on the agenda of the Board's **February 2018**, meeting for reconsideration of provisional approval. Approve the program's request approval to admit 20 students and two (2) alternates into a full - time day class commencing February 21, 2017, graduating February 23, 2018, only; to **replace** students who graduated on July 22, 2016. Require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences. Continue the director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days of the commencement of a class. Continue the program's requirement to admit no additional classes without prior approval by the full Board. Continue to require the program to demonstrate sustained incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval. 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 of Regulations, Title 116, Section 2526. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
- On August 25, 2017, the Board **approved** Approve the Angeles College Vocational Nursing Program's request to admit **one (1)** full –time class of **20** students on September 7, 2017, with a projected graduation date of October 23, 2018 to **replace** the full - time class which graduated on July 17, 2017 and Denied the program's request of admission of **one (1)** full-time class of **20** students on January 22, 2018, with a projected graduation date of February 15, 2019, **only**. The Board also continue to require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences. Continue the director's requirement to submit, under penalty of perjury, the names of all enrolled students, date of admission, placement in the curriculum, and expected date of graduation within 15 days of the commencement of a class. Continue the program's requirement to admit no additional classes without prior approval by the full Board. Continue the program's requirement to demonstrate sustained incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval. 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 of Regulations, Title 16, Section 2526.

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