STATE OF CALIFORNIA
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DEPARTMENT OF CONSUMER AFFAIRS

STATE AND CONSUMER SERVICES AGENCY • GOVERNOR EDMUND G. BROWN JR.
BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS
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BOARD MEETING MINUTES

MAY 20, 2011

OAKLAND, CALIFORNIA

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Mark Stanfield, Public Member

STAFF PRESENT:

Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer
Cheryl Anderson, Supervising Nursing Education Consultant
Angelina Martin, Enforcement Division Chief
Pam Hinckley, Nursing Education Consultant
Marilyn Kimble, Enforcement Manager
Jason Reinhardt, Administrative Secretary
Laura Freedman-Eidson, Legal Counsel, Department of Consumer Affairs

1. CALL TO ORDER

The meeting was called to order by the President, John Vertido, at 9:03 a.m., May 20, 2011, at the Hilton Oakland Airport, 1 Hegenberger Road, Oakland, California 94621.

2. PLEDGE OF ALLEGIANCE

Todd D'Braunstein led those assembled in the Pledge of Allegiance.

3. INTRODUCTION OF BOARD MEMBERS AND STAFF

The Board Members introduced themselves. Teresa Bello-Jones, Executive Officer (EO), introduced the staff present.

4. INTRODUCTION OF ACCREDITED AND APPROVED SCHOOLS REPRESENTED AT MEETING (BASED UPON VOLUNTARY SIGN-IN LIST)

- American Career College, Los Angeles
- American Career College, Ontario
- American Career College, Orange County
- Annenburg School of Nursing, Reseda
- Carrington College California, San Jose

- Center of Education and Technology, Whittier
- Charter College, Canyon Country
- Community Based Education & Development, Los Angeles
- Concorde Career College, San Bernardino
- Gurnick Academy of Medical Arts, Concord
- Gurnick Academy of Medical Arts, Fresno
- Gurnick Academy of Medical Arts, Modesto
- Gurnick Academy of Medical Arts, San Mateo
- Infotech Career College, Bellflower
- Institute of Medical Education, Oakland
- Institute of Medical Education, San Jose
- NCP College of Nursing, Hayward
- NCP College of Nursing, South San Francisco
- North West College, Pomona
- North West College, Riverside
- North West College, West Covina
- Palladium Technical Academy, El Monte
- Solano College of Nursing, Vallejo
- Soledad Adult School/Mission Trails ROP, Soledad
- St. Francis Career College, Lynwood
- St. Francis Career College, San Jose
- WestMed College, Merced
- WestMed College, San Jose

The president announced a change in the agenda order. Community Based Education and Development Vocational Nursing Program (Item 13.C) would be taken prior to Item 13.A. rather than in the order on the agenda itself.

5. BOARD PRESIDENT'S MESSAGE: MEETING AND PUBLIC COMMENT PROCEDURES

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

6. EXECUTIVE OFFICER'S REPORT

Teresa Bello-Jones provided an update on Board activities relative to:

- Governor's Executive Order on Travel Restrictions
- State and Consumer Services Agency (SCSA)
- Board Member Update
- Education Division Update
- Examination Update
- Licensing Update
- Liaison Activities
- Personnel Update
- Sunset Review Update
- Customer Service Surveys

Public Comment: None received.

Board Discussion:
Eric Mah requested clarification regarding what more the Board or the public can do regarding the hiring freeze and exemption requests. He voiced the opinion that the impending 42% vacancy rate is excessive. The EO replied that the public can let the Department of Consumer Affairs (DCA), the legislators and the Governor's Office know that the Board needs more staff.

7. DEPARTMENT OF CONSUMER AFFAIRS' REPORT

Kimberly Kirchmeyer, DCA Deputy Director of Board/Bureau Relations, reported on the following:

- Changes at DCA
- Board President's Participation at the Enforcement Academy
- Changes at the SCSA
- Board Staff Vacancies and Hiring Freeze Exemptions
- Consumer Protection Enforcement Initiative (CPEI) Performance Measures
- Substance Abuse Coordination Committee (SACC)
- Nursing Education Consultant (NEC) Recruitment and Retention Efforts
- Executive Officers' Evaluation Form
- Executive Officers' Pay Scale
- Governor Brown's Executive Order Restricting Travel
- BreEZe Information Technology Project

Public Comment: None received.

Board Discussion:
Todd D'Braunstein asked what the overall time-frame is to process freeze exemptions. Ms. Kirchmeyer responded that the SCSA is taking approximately one month to review requests and the Department of Finance is taking a few weeks to review.
Eric Mah asked whether the DCA views the high vacancy rates of the Boards as a risk to the public. Ms. Kirchmeyer responded that she does see it as a public risk, but the Boards are meeting their critical missions by redirecting staff and that staff are working hard processing cases, and working overtime.
Mr. D'Braunstein asked if the merger of the State Personnel Board and the Department of Personnel Administration will affect the Board's ability to recruit new NECs. Ms. Kirchmeyer feels that the Board needs to focus on hiring people who are currently on the NEC list.
John Vertido expressed concerns that the Board is having difficulties recruiting NECs due to the 50% or more pay reduction recruits must take to work for this Board in comparison with similar positions in other departments.
Mr. Mah requested clarification regarding the DCA's efforts to change the Executive Officers' pay scales. Ms. Kirchmeyer stated that an outside vendor will be reviewing the duties of the EOs to ensure pay is equitable and based on duties currently performed.

8. CONSENT CALENDAR ITEMS

A. Adoption of February 24-25, 2011, Board Meeting Minutes
B. EO's Report on Decisions for VN and PT Programs

Public Comment: None received.

MOTION: To adopt the February 24-25, 2011, Board Meeting Minutes and the EO's Report on Decisions for VN & PT Programs.

Moved/Seconded: Chang/D'Braunstein
Support: 6 Oppose: 0 Abstain: 1 – Leavitt

9. 2011 STRATEGIC PLAN
Teresa Bello-Jones presented the 2011 Strategic Plan.

Public Comment: None received.

Board Discussion:
Todd D'Braunstein stated that he would like the Board to focus on staff retention.
Eric Mah requested that staff update page 21 of the Strategic Plan regarding staff vacancies to reflect the most current information as reported by the EO. Additionally, Mr. Mah requested that, in the future, staff provide a version of the Strategic Plan that shows tracked changes.

MOTION: To adopt the 2011 Strategic Plan with amendments to page 21 regarding current staff vacancies and forward it to the Department of Consumer Affairs by June 1, 2011, as edited.
Moved/Seconded: D'Braunstein/Baucom
Support: 7 Oppose: 0 Abstain: 0

Break at 10:25 a.m.

10. LEGISLATIVE REPORT: OTHER BILLS PERTINENT TO THE BOARD: ASSEMBLY BILLS 127, 366, 425, 429, 535, AND 632; AND SENATE BILLS 60, 400, 401, 538, 539, 541, 544, 688, 747, 794, 943, AND 944
Cheryl Anderson, Supervising Nursing Education Consultant (SNEC), provided a status report on Assembly Bills 127, 366, 425, 429, 535, and 632; and Senate Bills 60, 400, 401, 538, 539, 541, 544, 688, 747, 794, 943, and 944.

Public Comment: None received.

Board Discussion:
Kevin Baucom stated that SB 794 (Gassing) is meant to protect the staff, not criminalize the insane, and encourages public support. AB 366 (Involuntary Medication) is also for staff safety.

MOTION: To accept the Legislative Report as written.
Moved/Seconded: D'Braunstein/Chang
Support: 7 Oppose: 0 Abstain: 0

John Vertido asked the Legislative Chair, Jessica Leavitt, to develop a letter of support for SB 539, the Board's Sunrise Bill. Staff Counsel recommended that the Board officially make a motion for this action.

Public Comment: None received.

MOTION: To have the Legislative Chair draft a letter in support of SB 539.
Moved/Seconded: Baucom/D'Braunstein
Support: 7 Oppose: 0 Abstain: 0

11. ENFORCEMENT REPORT

Angelina Martin, Enforcement Division Chief, provided an update regarding:

- Consumer Protection Enforcement Initiative (CPEI)
- Enforcement Division Updates
- Enforcement Division General Statistics

Public Comment:
Kimberly Kirchmeyer stated that the DCA has no intention of re-auditing the Board. The intent is to change the scope of the audit.

Board Discussion:
Todd D'Braunstein requested staff to track overtime and report back to the Board the effect overtime has had in regards to staff vacancies in order to better allocate and request positions in the future.
Eric Mah asked how many people are working overtime, regularly. Ms. Martin responded that approximately 5-6 Enforcement staff have volunteered on a daily basis, including Saturdays, to work overtime since March 2011 when overtime was permitted again.
John Vertido stated that the lack-of-staffing factor needs to be considered for the Enforcement Division audit, and the Board should not be held accountable for that, as the Board's ability to recruit staff is restricted.

MOTION: To accept the Enforcement Report as presented.
Moved/Seconded: D'Braunstein/King
Support: 7 Oppose: 0 Abstain: 0

12.A. REGULATORY REPORT: PROPOSED REGULATIONS TO IMPLEMENT UNIFORM STANDARDS REGARDING SUBSTANCE-ABUSING HEALING ARTS LICENSEES AND REVISE DISCIPLINARY GUIDELINES

Marilyn Kimble, Enforcement Manager, reported that Business and Professions Code Section 315 (Senate Bill 1441, Chapter 548, Statutes of 2008) established a Substance Abuse Coordination Committee (SACC) to develop uniform standards for substance-abusing licensees. All healing arts boards are required to use those standards. On February 25, 2011, the Board approved draft proposed regulatory language to implement the uniform standards and revise its Disciplinary Guidelines. However, as a result of the SACC's adoption of the revised standards on April 11, 2011, Board staff is revising the language to incorporate the revisions adopted by the SACC It is anticipated that the proposed regulatory action will be published by the Office of Administrative Law in June 2011 and a hearing held in August 2011. The final proposal should be ready for presentation and consideration by the Board at its September 9, 2011, Board Meeting.

Public Comment: None received.

MOTION: To accept the Regulatory Report as presented.
Moved/Seconded: D'Braunstein/Baucom
Support: 6 Oppose: 0 Abstain: 1 – Mah

12.B. REGULATORY REPORT: STATUS OF PROPOSED REGULATORY ACTION TO IMPLEMENT ELEMENTS OF THE CPEI

Marilyn Kimble reported that the DCA launched the CPEI to overhaul the enforcement process of the healing arts boards. On February 17, 2010, SB 1111 (Negrete-McLeod) was introduced and sponsored by the DCA. The proposed legislation was introduced to establish the Consumer Health Protection Enforcement Act and make enforcement processes more efficient. However, on April 22, 2010, SB 1111 failed to make it out of the Senate BP&ED Committee. On April 26, 2010, the DCA reported that CPEI would continue to be the Department's highest priority and stated that many provisions of SB 1111 could be adopted as regulations. At its September 16, 2010, Board Meeting, the Board approved draft proposed regulatory language to implement elements of CPEI and directed staff to prepare a rulemaking file for notice and comment. The notice of proposed regulations was published on March 25, 2011, and a public hearing held on May 11, 2011. Board staff is considering revisions to the proposed regulatory language based on comments received during the public comment period and at the hearing. Another 15 day public comment period will be held prior to completing the rulemaking file. The final proposed regulatory language will be presented to the Board at its September 9, 2011, Board Meeting.

Public Comment: None received.

MOTION: To accept the Regulatory Report as presented.
Moved/Seconded: D'Braunstein/Baucom
Support: 7 Oppose: 0 Abstain: 0

12.C. REGULATORY REPORT: PROPOSED REGULATORY ACTION TO IMPLEMENT AB 2699

Angelina Martin reported that, effective January 1, 2011, AB 2699 authorizes the establishment of regulations to allow a health care practitioner, licensed in one or more states, but not in California, to participate in free health care events in California for uninsured or under-insured individuals. The authorization to practice is temporary and only valid for a period not to exceed 10 days. The proposed regulations would implement, interpret, and make specific the provisions of Business and Professions Code (B&P Code) section 901 by specifying procedures and forms to be used by sponsoring entities and out-of-state practitioners who desire to participate in sponsored events. The proposed regulations are intended to implement B&P Code section 901 in a manner that will provide the greatest protection for the people of California.

Public Comment: None received.

Board Discussion:
Eric Mah asked if there were any objections to the language.
Laura Freedman Eidson stated that she was unaware of any concerns with the language .
Kimberly Kirchmeyer stated that the language is not a problem; however, professional associations are unhappy with legislation regarding this matter.

Todd D'Braunstein asked if it wouldn't be more efficient for licensees to just request to become licensed in California by reciprocity. Ms. Martin clarified that these regulations provide another option to the licensees who would like to volunteer their services in California.
John Vertido stated that the original intent of these regulations was for disaster response volunteers to be able to practice in the State of California. These regulations significantly make things easier for licensees in comparison with requirements in other states.
Laura Freedman-Eidson stated that the law and regulations permit services beyond emergency situations now.

MOTION:

1. The Board approve the regulatory proposal to amend Division 25 of Title 16, California Code of Regulations (CCR), to add sections 2557, 2557.1, 2557.2 and 2557.3 (VN Regulations); and add sections 2595, 2595.1, 2595.2 and 2595.3 (PT Regulations).
2. Direct staff to prepare a rulemaking file for notice and comment.
3. Authorize the Executive Officer to make changes consistent with the intent of the proposal.

Moved/Seconded: Chang/D'Braunstein
Support: 7 Oppose: 0 Abstain: 0

13.C. COMMUNITY BASED EDUCATION & DEVELOPMENT COLLEGE VN PROGRAM – RECONSIDERATION OF PROVISIONAL ACCREDITATION AND CONSIDERATION OF REQUEST TO ADMIT STUDENTS

Cheryl Anderson, SNEC, reported that on May 20, 2010, the Board placed the Community Based Education & Development College VN Program on provisional accreditation for the one-year period from May 20, 2010, through May 31, 2011, due to noncompliance with section 2530(l) of the VN Rules and Regulations. The program's average annual pass rates have been more than 10 percentage points below the state average annual pass rate for 14 consecutive quarters. Submitted data substantiates that a total of 138 students have completed the NCLEX/PN during the period from January 2010 through March 2011. The program's current average annual pass rate of 48% is 29 percentage points below the State average annual pass rate. However, the program's average annual pass rate has improved from 31% to 48%, an improvement of 17 percentage points during its one-year provisional accreditation. This violation has not been corrected and can only be corrected when the program's pass rates improve consistent with regulatory requirements.

Representative from the School: Alice Sorrell-Thompson, Program Director, stated that she is grateful for the guidance and support she's received while on provisional accreditation and acknowledges there is work to be done.

Public Comment: None received.

Board Discussion:
Todd D'Braunstein asked if Ms. Sorrell-Thompson was aware of the state the school was in when she became a program director. Mr. D'Braunstein asked whether it is reasonable to expect that they can come into compliance within a year.
John Vertido asked whether Ms. Sorrell-Thompson has the backing of administrators at the school in order to do what is necessary to improve the school's NCLEX-PN® passing scores.
Ms. Sorrell-Thompson responded that she had the backing of both.
Todd D'Braunstein asked what the program is doing now to continue to improve passing scores.

Ms. Sorrell-Thompson responded that there are processes in place to improve pass rates, as evidenced by a 17% increase in passing scores. They will continue to expand on those changes implemented.
John Vertido recommended that the program network with other schools whose programs are successful and have faced similar challenges in the past.

MOTION: The Board[LF1] moved to adopt the following recommendations of the NEC:

1. Extend provisional accreditation of the Community Based Education & Development College VN Program for the one-year period from June 1, 2011, through May 31, 2012, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in section 2526.1(e) of the CCR.
2. Require the program to bring its average annual pass rate to no more than 10 percentage points below the State average annual pass rate for four consecutive quarters by May 31, 2012.
3. Approve the program's request to admit 30 students into the non-degree class commencing May 23, 2011, graduating August 24, 2012, only, to replace students who graduated March 27, 2011.
4. Approve the program's request to admit 15 students into the non-degree class on June 6, 2011, with a projected graduation of September 12, 2012.
5. Deny approval of the program's request to admit a class of 30 students into the non-degree class commencing August 8, 2011, with a projected graduation of November 14, 2012.
6. Continue to require the program to obtain approval by the full Board prior to admission of each class.
7. Require the program to continue demonstration of progress improvement of its pass rates on the NCLEX/PN®.
8. Require the program to show documented progress by submitting follow-up reports in nine months, but no later than **February 1, 2012**. The report 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. Fifteen specified elements must be addressed in the analysis (as itemized in the Board report). Failure to show progress may be cause for reconsideration of provisional accreditation.
9. Require the program to comply with all accreditation standards in article 4 of the VN Practice Act, commencing at B&P Code section 2880, and article 5 of the Board's regulations, commencing at CCR, Title 16, section 2526.
10. Place the program on the May 2012 Board Meeting agenda for reconsideration of provisional accreditation.

Moved/Seconded: Chang/Baucom
Support: 7 Oppose: 0 Abstain: 0

13.A. ACADEMY OF ENGLISH LANGUAGE VN PROGRAM – CONSIDERATION OF PLACEMENT ON PROVISIONAL ACCREDITATION

Cheryl Anderson, SNEC, reported that Academy of English Language VN Program is presented to the Board for consideration of placement on provisional accreditation, due to noncompliance with Section 2530 (l) of the VN Rules and Regulations. The program's average annual pass rates have been more than 10 percentage points below the state average annual pass rate for nine consecutive quarters. Submitted data substantiates that a total of 64 students were admitted to the program from initial accreditation through January, 2010. Of the total admitted, 35 students have graduated. As such, the program has graduated 54.7% of the students admitted. Of the total program graduates, 45.7% have

completed the NCLEX/PN. Of the total program graduates tested through the most recent reporting period, 18.8% have passed and 81.2% failed. This violation has not been corrected and can only be corrected when the program's pass rates improve consistent with regulatory requirements.

Representative of the School: Nel Dave O. Frias R.N., M.A., representing Program Director, Lillibeth Leynes. Mr. Frias stated that the program is requiring more stringent measures and scores from students on the program's exit exam. The program does not forward students' applications for the NCLEX-PN® until students are able to pass the program's exit exam with a score of 85% or better.

Board Discussion:
Kevin Baucom and Victor King expressed grave concerns that the program is refusing to submit students' applications to the Board until students are able to pass the program's exit examination with a score satisfactory to the program, especially as students are required to continue to pay tuition to the program until graduation. They were concerned that passing the exit exam was not a requirement for graduation, but that the students were being prevented from graduating until they could pass it. Mr. Baucom and Mr. King also expressed concern that students are not prepared by the substance of the program to take the NCLEX-PN® exam by graduation as indicated on their inability to pass the exit examination.
Mr. Frias stated that the exit exam requirement is not as faulty as indicated, but was a part of the graduation requirements , and that the quality of the students is poor, not the quality of instruction. John Vertido reminded Board Members that they have the right to change recommendations of the SNEC.
Eric Mah requested clarification regarding the feasibility of placing the program on the Agenda for the November 2011 Board Meeting for possible revocation of accreditation.
Laura Freedman Eidson advised the Board that she could prepare a motion during a break for Board consideration based on the SNEC's recommendations and Board discussion.

Lunch break at 12:24 p.m. The Board reconvened at 1:16 p.m.

Public Comment:
Mario Rojas, Director, American College of Nursing, strongly encouraged the Board to give the program the opportunity to improve.
Daniel Mainea, School Director, stated that the students are part-time students. He stated that the program takes 18 months to complete and that students pay $500 per month. The most recent class graduated in December. He stated that for part-time students who also must work, it will take longer to prepare for the exam. He stated that approximately six (6) months are required to prepare the students for testing. He stated that it was an overwhelming effort for the students and school is simply trying to help them as best they can. Under existing conditions, he thought it was virtually impossible to teach the students, though the students are well-intended and hard-working.

MOTION:
The Board moved to:
1. Place Academy of English Language, Los Angeles, VN Program on provisional accreditation for a one-year period from May 20, 2011, through May 31, 2012, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1(e) of the CCR.

2. Require the program to show documented progress satisfactory to the Board to improve the effectiveness of instruction and program pass rates on the NCLEX/PN® by May 1, 2012. If no progress has been shown, the Board may revoke accreditation.
3. Require the program to show documented progress by submitting a follow-up report in nine months, but no later than **February 1, 2012**. The report 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 analysis must address the 15 specified elements as itemized in the Board report, items (a) through (o) of recommendation number 4. The program must notify students that the program has been placed on provisional accreditation. Failure to show progress is cause for revocation of provisional accreditation.
4. Schedule the program for reconsideration of provisional accreditation, including revocation, at the May 2012 Board Meeting.
5. Require the program to admit no additional students unless approved by the full Board.
6. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P Code section 2880, and Article 5 of the Board's Regulations, commencing at CCR, Title 16, section 2526.

The rationale for the motion is noted in the NEC's recommendations and, additionally, concerns for the quality of instruction as gauged by the exit exam.

Moved/Seconded: Chang/King
Support: 7 Oppose: 0 Abstain: 0

13.B. CENTER OF EDUCATION AND TECHNOLOGY VN PROGRAM – CONSIDERATION OF REQUEST TO ADMIT STUDENTS

Pam Hinckley, NEC, reported that on September 16, 2010, the Board placed the Center of Education and Technology, VN Program on provisional accreditation for the one-year period from September 16, 2010, through September 30, 2011, due to noncompliance with Section 2530 (l) of the VN Rules and Regulations. The program submitted a request to admit an evening class of 15 full-time students on May 23, 2011, graduating August 12, 2012. The proposed class would replace a class that graduated November 4, 2010. Published program performance statistics evidence an improvement of 25 percentage points while on provisional accreditation. However, the program's average annual pass rate remains 26 percentage points below the state average annual pass rate.

Representative of the School: Ronaldo Verian, incoming Program Director and current approved instructor. Mr. Verian offered no presentation to the Board.

Public Comment: None received.

Board Discussion:

Eric Mah asked how much data would be available to the Board for the September 2011 Board meeting. Kevin Baucom responded that there would not be much data available at all. Mr. Mah proposed extending provisional accreditation through November 2011 or February 2012.

MOTION:
The Board moved to adopt the NEC's report and recommendations therein, but amended to read as follows

1. Extend provisional accreditation through November 30, 2011. Place school on November 2011 Board Meeting Agenda for Reconsideration of Provisional Accreditation.
2. Approve the program's request to admit a full-time class of 15 students on May 23, 2011, only, graduating August 12, 2012, to replace the class that graduated November 2010.
3. Continue to require the program to obtain approval by the full Board prior to the admission of each class.

Moved/Seconded: Baucom/D'Braunstein
Support: 7 Oppose: 0 Abstain: 0

3.D. PALLADIUM TECHNICAL ACADEMY VN PROGRAM – CONSIDERATION OF PLACEMENT ON PROVISIONAL ACCREDITATION AND REQUEST TO ADMIT STUDENTS

Pam Hinckley, NEC, reported that Palladium Technical Academy VN Program is presented to the Board for consideration of placement on provisional accreditation due to the program's noncompliance with section 2530 (l) of the VN Rules and Regulations. The program's average annual pass rates on the NCLEX/PN® for the last six quarters have been more than 10 percentage points below the State average annual pass rate. Submitted data indicates that a total of 105 students have been admitted to the program from commencement in May 2008 through March 2010. Of those admitted, 66 graduated through October 2010. 63% of students admitted into the program graduated. Published program performance statistics substantiate that 24 program graduates completed the NCLEX/PN through December 2010. Of the total program graduates tested, 29.2% (7 graduates) passed; 70.8% (17 graduates) failed. The program requested approval to admit students for its next day class and evening class.

Representative of the School: Ann Catone, Program Director; Betty Hill, Assistant Director.
Ann Catone stated that the pass rate is wrong. One of the classes counted in the pass rate has not graduated yet and should not be counted in the data. She stated that the program is working hard on encouraging students to take the exam soon after graduation and working on correcting issues that were identified when students began failing the licensure exam.

Public Comment: None received.

MOTION:
The Board adopt the NEC's report and the following recommendations from it:

1. Place Palladium Technical Academy VN Program on provisional accreditation for a one-year period from May 20, 2011, through May 31, 2012, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in section 2526.1(e) of the California Code of Regulations.
2. .Deny the program's request to admit 30 students commencing June 6, 2011, graduating August 17, 2012, to replace students that graduated October 1, 2010.
3. Approve the program's admission of 15 students commencing June 1, 2011, and graduating August 17, 2012.
4. Require the program to admit no additional students unless approved by the full Board.
5. Require the program to demonstrate progress satisfactory to the Board in improvement of its pass rates on the NCLEX/PN® by May 31, 2012.

6. Require the program to show documented progress by submitting a follow-up report in 9 months, but no later than **February 1, 2012**. 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. Fifteen specified elements must be addressed in the analysis (as itemized in the Board report). Failure to show progress may be cause for reconsideration of provisional accreditation.
7. Place the program on the May 2012 Board agenda for reconsideration of provisional accreditation.
8. Require the program to comply with all accreditation standards in Article 4 of the VN Practice Act, commencing at B&P code section 2880, and Article 5 of the Board's regulations, commencing at CCR, Title 16, section 2526.

Moved/Seconded: D'Braunstein/Baucom
Support: 7 Oppose: 0 Abstain: 0

14. PUBLIC COMMENT PERIOD

Roxanne Workman, Director, Charter College, Long Beach (program pending approval). Would like clarification regarding sunrise/sunset legislation and where to get information regarding sunrise/sunset. Mr. Vertido provided clarification. Ms. Workman also asked what the Board deems is an acceptable attrition rate. Mr. Vertido stated the attrition rates depend on other data and the Board considers a program's rate of attrition along with other critical program factors.

15. ADJOURNMENT

The meeting adjourned at 2:36 p.m.

Prepared by: _____ Date: 9/9/2011
Teresa Bello-Jones, J.D., M.S.N., R.N.
Executive Officer

Approved by: _____ Date: 9/9/2011
John P. Vertido, L.V.N.
President

(8/25/11)