



## **BOARD MEETING MINUTES**

**FEBRUARY 13, 2015**

**LOS ANGELES, CALIFORNIA**

### **BOARD MEMBERS**

#### **PRESENT:**

Todd D'Braunstein, P.T. Member, President  
Samantha James-Perez, P.T. Member, Vice-President  
John Vertido, L.V.N. Educator Member  
Vivien Avella, Public Member  
Tammy Endozo, L.V.N. Member  
Eric Mah, Public Member  
Andrew Moreno, Public Member  
Donna Norton, L.V.N. Member

### **BOARD MEMBERS**

#### **ABSENT:**

Jessica Leavitt, Public Member  
Susan Rubin, Public Member

### **STAFF PRESENT:**

Teresa Bello-Jones, Executive Officer  
Cheryl Anderson, Supervising Nursing Education Consultant  
Marilyn Kimble, Enforcement Division Chief  
Carol Northrup, Licensing Division Manager  
Jay Prouty, Enforcement Division Analyst  
Lanessa Guerra, Licensing Division Analyst  
Rebecca Bon, Legal Counsel, Department of Consumer Affairs  
Laura Freedman, Legal Counsel, Department of Consumer Affairs

### **1. CALL TO ORDER.**

The meeting was called to order by Todd D'Braunstein, Board President, at 9:03 a.m., February 13, 2015, at The Concourse Hotel at LAX, 6225 W. Century Boulevard, Los Angeles, California 90045.

### **2. PLEDGE OF ALLEGIANCE.**

John Vertido 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. Laura Freedman, Legal Counsel, announced Rebecca Bon as the Board's newly assigned Legal Counsel.

**4. INTRODUCTION OF APPROVED SCHOOLS REPRESENTED AT MEETING BASED UPON VOLUNTARY SIGN-IN LIST.**

The following programs voluntarily signed in and were recognized by the Board President:

American Career College, Los Angeles	Concorde Career College, Woodland Hills
American Career College, Orange County	Curam College
Angeles College	Four D College, Colton
Annenberg School of Nursing	Four D College, Victorville
Bethesda Christian University of California	Glendale Career College
California Career Institute, Garden Grove	Gurnick Academy of Medical Arts, Concord
California Career Institute, Hawthorne	Gurnick Academy of Medical Arts, Fresno
Career Care Institute, Lancaster	Gurnick Academy of Medical Arts, Modesto
Career Care Institute, Moreno Valley	Gurnick Academy of Medical Arts, San Mateo
Career Development Institute, Inc.	High Desert Medical College
Casa Loma College, School of Nursing & Allied Health, Van Nuys	Homestead Schools, Inc., Torrance
Casa Loma College, School of Nursing and Allied Health, Anaheim (Previously Hawthorne)	Kaplan College, San Diego
CES College (Community Enhancement Services)	LAUSD: Maxine Waters Emp. Prep. Center
Career Network Institute	Medical Allied Career Center, Inc.
Concorde Career College, Garden Grove	North-West College, Pasadena
Concorde Career College, N. Hollywood	North-West College, Pomona
Concorde Career College, San Bernardino	North-West College, West Covina
Concorde Career College, San Diego	Pacific College
Concorde Career College, W. Los Angeles	Premiere Career College
	WestMed College, Merced
	West Med College, San Jose
	Mt. San Antonio College

**5. MEETING AND PUBLIC COMMENT PROCEDURES.**

Mr. D'Braunstein read a special notice addressing the Board's legal mandate and the 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; no action may be taken at this time; and the Board may limit the length of time allowed for comment.

**6. ELECTION OF BOARD OFFICERS.**

**Board President Nomination:** Todd D'Braunstein

**Moved:** Vivien Avella                      **Seconded:** Eric Mah

Ms. Avella, Mr. D'Braunstein, Tammy Endozo, Samantha James-Perez, Mr. Mah, Andrew Moreno, Donna Norton and John Vertido voted in favor of the motion. Jessica Leavitt and Susan Rubin were absent. **The motion passed.**

**Board Discussion:** None.

**Public Comment:** None.

**Board Vice President Nomination:** Samantha James-Perez

**Moved:** John Vertido

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**Board Discussion:** None.

**Public Comment:** None.

**7. CONSIDERATION OF 2014 PSYCHIATRIC TECHNICIAN (PT) OCCUPATIONAL ANALYSIS AND PROPOSED PT EXAMINATION OUTLINE.**

Heidi Lincer-Hill, Chief, Department of Consumer Affairs (DCA) - Office of Professional Examination Services (OPES), presented a report relative to an occupational analysis of the psychiatric technician (PT) profession. Pursuant to Business and Professions Code Section 139, the Board is required to periodically conduct an occupational analysis and examination validation studies for those professions it regulates. Such efforts ensure the licensure examination is job – related, legally defensible, and psychometrically sound. In so doing, the occupational analysis and validation study ensure that the licensure examination accurately measures candidate competence for the delivery of safe and competent client care upon entry into professional practice.

The Board requested that DCA-OPES conduct an occupational analysis and validation study for the PT Licensure Examination (PTLE) to identify critical job activities performed by licensed PTs in California irrespective of geographic or practice location. The purpose of the occupational analysis is to define practice for PTs in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of the occupational analysis serve as the basis for the PT examination outline. That document serves as the blueprint for development of the PTLE.

**Public Comment:** None.

**Board Discussion:**

- Ms. James-Perez, asked if the results of the occupational analysis are valid with only a 6% Tasks Survey response, and 8% Knowledge Survey response. Ms. Lincer-Hill responded the results are valid, and the Board and OPES made every effort to reach out, including sending out a reminder postcard.
- Ms. James-Perez asked what the biggest change was between the current and last occupational analysis. Ms. Lincer-Hill responded the outline is different; there is reorganization of the content area, and it is more clear and concise.
- Mr. Mah requested to view the test questions being asked and that he would like revisit the request later in the meeting, during another agenda item.

**MOTION:** To adopt the report and adopt the new Psychiatric Technician Licensure Examination Outline, based on the research study (Occupational Analysis of the Psychiatric Technician Profession) completed by the Department of Consumer Affairs' Office of Professional Examination Services.

**Moved:** Eric Mah

**Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

## **8. EDUCATION DIVISION REPORTS REGARDING VN & PT PROGRAMS.**

### **A.1. Angeles College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Cheryl Anderson, Supervising Nursing Education Consultant (SNEC) presented a report relative to reconsideration of provisional approval and consideration of request to admit students for Angeles College, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from November 9, 2012, through November 30, 2014, due to non-compliance with regulatory requirements relative to program pass rates. The Board conducted an unannounced onsite visit on June 10 and 11, 2014. Eight (8) violations were identified. On November 21, 2014, the Board continued the program's provisional approval for three months from November 21, 2014 to February 28, 2015. The Board directed the program to correct identified violations and submit documentation confirming correction by December 15, 2014.

Since placement on provisional approval, the program's average annual pass rate has varied with its lowest pass rate of 38% reported for Quarter 3 – 2013. The program's Quarter 4 – 2014 pass rate is **86%**; the average annual pass rate is **58%**, 14 percentage points **below** the state average annual pass rate. As such, the program's annual pass rate has risen eleven (11) percentage points since placement on provisional approval.

#### **Program Representative:** Mary McHugh, Director of LVN Program

- Ms. McHugh stated she agrees with and would like to implement the recommendations.
- Mr. Mah asked Ms. McHugh when January graduates are expected to take the NCLEX/PN. McHugh responded in March or April.

**Public Comment:** None.

#### **Board Discussion:**

- Mr. Mah said he would like the program on the August 2015 Board Meeting agenda to see if the program's pass rates improved.

#### **MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend Angeles College Vocational Nursing Program's provisional approval for the one (1) year period from March 1, 2015 to February 28, 2016.
2. Approve 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.
3. 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 April 17, 2015.
4. Require the program to admit no additional students without prior approval by the full Board.

5. Continue to require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
7. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. Failure to make any of these corrective actions may cause the full Board to revoke the program's approval.
9. Place the program on the February 2016 Board agenda for reconsideration of provisional approval.

**Moved:** John Vertido

**Seconded:** Samantha James-Perez

Ms. Avella, Mr. D'Braunstein, Ms. James-Perez, Mr. Moreno, Ms. Norton, and Mr. Vertido voted in favor of the motion; Ms. Endozo and Mr. Mah were opposed; Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.2. Bay Area College of Nursing, Daly City, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Report of Unannounced Survey Visit; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to reconsideration of provisional approval, consideration of report of unannounced survey visit, and consideration request to admit students for Bay Area College of Nursing, Daly City, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from September 6, 2012, through September 30, 2014, due to non-compliance with regulatory requirements relative to program pass rates. The program was required to admit no additional students without prior approval by the full Board.

On September 12, 2014, the Board extended the program's provisional approval for the five (5) month period from October 1, 2014 through February 28, 2015, and required the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences. On that date, the Board also denied a request to admit students.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **53%**, 19 percentage points **below** the state average annual pass rate.

**Program Representative:** Rachelle Cagampan Program Director; Dr. Yancy Aquino, Director of Education Services.

- Ms. Cagampan stated she agrees with the NECs recommendations.

**Public Comment:** None.

**Board Discussion:**

- Ms. Avella asked if the provisional designation can be approved even though the program does not have the facilities. Ms. Anderson responded yes.
- Mr. Mah inquired why ask the school to return in February 2016, when the class will not graduate until May 2016. Ms. Anderson responded the Board will know if the school corrected the violations and to ensure the program has sufficient clinical facilities to support the graduating class.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend Provisional Approval for the Bay Area College of Nursing, Daly City, Vocational Nursing Program for a one-year period from March 1, 2015 through February 29, 2016, 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.
2. Require the program to correct violations identified during the onsite inspection and submit a report identifying implemented interventions to include the following no later than **February 27, 2015**.
  - a. Revised Admission Criteria.
  - b. Revised Screening and Selection Criteria.
  - c. Implementation of the approved Attendance Policy including follow-up for absences.
  - d. Revised Remediation Policy.
3. Require the program to submit verifiable plans for clinical placements for maternity and pediatric nursing for currently enrolled students, no later than **February 27, 2015**.
4. Contingent upon the program securing and obtaining, no later than **February 27, 2015**, Board approval for adequate clinical facilities such that maternity and pediatric nursing clinical objectives can be accomplished, approve the Bay Area College of Nursing, Daly City, Vocational Nursing Program's request to admit one (1) evening class of 20 students commencing March 9, 2015 and graduating June 5, 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 March 2, 2015.
6. Continue to require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
7. Continue to require the program to obtain approval by the full Board prior to the admission
8. 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. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.

10. 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.
11. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
12. Place the program on the February 2016 Board agenda for reconsideration of provisional approval.

**Moved:** Vivien Avella

**Seconded:** Samantha James-Perez

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

### **A.3. Bethesda University of California Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to reconsideration of provisional approval for Bethesda University of California Vocational Nursing Program. The program was placed on provisional approval for the two-year period from May 11, 2012, through May 30, 2014, due to non-compliance with regulatory requirements relative to program pass rates. The program was required to admit no additional students without prior approval by the full Board.

On May 16, 2014, the Board extended the program's provisional approval for the one-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 January 28, 2015, the director withdrew the request to admit a class per telephonic communication with the Nursing Education Consultant. On January 29, 2015, the director confirmed her intent to withdraw her request to admit a class.

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

**Program Representative:** Dolores Terriquez; Director; Lucy Kim, Chief Academic Officer, Zach Wechsler, Attorney

- Ms. Terriquez stated she disagrees with Recommendation #1. She reported she submitted (1) clinical facility application on February 6, 2015, and (1) OB clinical facility application on February 9, 2015, for a total of three (3) submitted. She is requesting a cohort of twenty (20) students beginning July 6, 2015, graduating August 8, 2016.

**Public Comment:** None.

**Board Discussion:**

- Ms. James-Perez confirmed with Ms. Anderson that the Director of the program withdrew the request for students and there are currently no students at the school.
- Vivien Avella agrees with the recommendations. Ms. Avella stated she would like to see stronger pass rates from the last cohort to have any confidence that there should be another class, in addition, all violations need to be corrected.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend Bethesda University of California Vocational Nursing Program provisional approval for a four-month period from February 28, 2015, through May 31, 2015, and issue a notice to the program to identify specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.
2. Require the program to secure and submit clinical facility applications for Board approval that are adequate as to number, type, and variety of patients treated to provide clinical experiences in Maternity Nursing of like character and quality for all students by April 15, 2015.
3. Contingent on the program securing and obtaining Board approval of adequate clinical facilities by April 15, 2015, extend the program's provisional approval to February 28, 2016.
4. Continue to require the program to admit no additional students unless approved by the full Board.
5. Continue to require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code Section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
7. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
9. Place the program on the May 2015 Board agenda for reconsideration of provisional approval.

**Moved:** Samantha James-Perez      **Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

#### **A.4. Career Care Institute, Moreno Valley, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to reconsideration of provisional approval and consideration of request to admit students for Career Care Institute, Moreno Valley, Vocational Nursing Program. The program was placed on provisional approval for the period of September 6, 2012, through September 30, 2014, due to non-compliance with regulatory requirements relative to program pass rates.

On September 12, 2014, the Board extended the program's provisional status for the five (5) month period from September 12, 2014 through February 28, 2015, and issued a notice identifying specific areas of noncompliance and requirements for correction, as referenced in section 2526.1 (e) of the California Code of Regulations. The Board denied the program's request to admit a day class of 50 students commencing October 27, 2014, graduating February 26, 2016, to **replace** the class that graduated February 13, 2014.

Based on data from the 4<sup>th</sup> Quarter – 2014, the program's average annual pass rate is **63%**, an **increase** of eleven (11) percentage points since placement on provisional approval, and nine (9) percentage points **below** the state average annual pass rate.

**Program Representative:** Alan Ocampo, Director of Nursing.

- Mr. Ocampo stated he agrees with the recommendations.

**Public Comment:** None.

#### **Board Discussion:**

- Mr. Vertido asked Mr. Ocampo why he asked for a class larger than his facilities can hold. Mr. Ocampo responded he just started with the school, and he was not the one who requested the class.

#### **MOTION: To modify and adopt the recommendations as follows:**

1. Extend Provisional Approval for the Career Care Institute, Inc., Moreno Valley Vocational Nursing Program for one (1) year period from February 28, 2015 through February 28, 2016 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.
2. Require the program to obtain adequate clinical facilities as to number, type, and variety of patients treated to provide clinical experiences in Pediatric Nursing for all students by March 31, 2015.
3. Deny the program's request to admit a day class of 30 full-time students on April 13, 2015 graduating on October 20, 2016, to replace a class that graduated February 13, 2014.
4. Approve the program's admission of a day class of 20 full-time students on April 13, 2015 graduating on October 20, 2016, to replace a class that graduated February 13, 2014 only, provided the program maintains a 1:10 instructor to student ratio for all Skills Laboratory and clinical experience for all classes.

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 dates of graduation by April 31, 2015.
6. Continue to require the program to admit no additional classes without prior approval by the full Board.
7. 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.
8. Require the program to submit a follow-up report by November 1, 2015. The report shall include a review of the prior comprehensive analysis, timeline for implementation, and the effect of employed corrections.
9. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
10. 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.
11. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
12. In the event additional violations of the approval standards are identified, such violations may result in further corrective action or revocation of provisional approval.
13. Place the program on the February 2016 Board agenda for reconsideration of provisional approval.

**Moved:** John Vertido

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.5. High Desert Medical College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to Reconsideration of Provisional Approval; Consideration of Request to Admit Students for High Desert Medical College Vocational Nursing Program. The program was placed on provisional approval for the two-year period from November 10, 2011 through November 30, 2013, due to non-compliance with regulatory requirements relative to program pass rates.

On July 14 and 15, 2014, Board representatives conducted an unannounced onsite inspection of the program relative to compliance with regulatory requirements and Board decisions. Nine (9) violations were identified.

On September 12, 2014, the program's provisional approval was extended through February 28, 2015. Further, the Board denied the program's request to admit a full-time class of 20 students on January 19, 2015, graduating March 6, 2016, to **replace** students that graduated March 8, 2012.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **53%**, 19 percentage points **below** the state average annual pass rate.

**Program Representative:** Michelle Welch, Director of Nursing.

- Ms. Welch stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:**

- Ms. Avella asked Ms. Welch how many students of the cohort have tested. Ms. Welch responded eight (8) students have tested and seven (7) passed.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend High Desert Medical College's Vocational Nursing Program provisional approval for a one (1) year period from February 28, 2015, through February 28, 2016, 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. 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.
3. Approve the program's request to admit a full-time class of 20 students on April 13, 2015; graduating May 18, 2016 replacing students that graduated March 7, 2014, provided the program maintains a 1:10 instructor to student ratio in all clinical activities.
4. 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 April 17, 2015.
5. Continue to require the program to maintain a 1:10 instructor to student ratio in all clinical activities.
6. Continue to require the program to admit no additional students unless approved by the full Board.
7. Require the program to submit a follow-up report by November 1, 2015. The report shall include a review of the prior comprehensive analysis, timeline for implementation, and the effect of employed corrections.
8. 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.

9. 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.
10. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
11. Place the program on the February 2016 Board agenda for reconsideration of provisional approval.

**Moved:** John Vertido

**Seconded:** Donna Norton

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.6. Medical Career College Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Report of Unannounced Program Survey Visit; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to reconsideration of provisional approval, consideration of report of unannounced program survey visit, and consideration of request to admit students for Medical Career College, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from February 18, 2010, through February 17, 2012 due to non-compliance with regulatory requirements relative to program pass rates. The program's provisional approval was extended through February 28, 2013. On February 6, 2013, the program's provisional approval was extended again through February 28, 2014. On February 13, 2014, the programs provisional approval was once again, extended through February 28, 2015.

On December 16 and 17, 2014, Board representatives conducted an unannounced program inspection. Fourteen (14) violations of the California Code of Regulations were identified.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **50%**, 22 percentage points **below** the state average annual pass rate.

**Program Representative:** Marilyn Castillo, Program Director.

- Ms. Castillo stated she agrees with the recommendations and is working diligently to correct all of the violations.

**Public Comment:** None.

**Board Discussion:**

- Mr. Vertido strongly suggested to Ms. Castillo that she consult with the NEC regarding clinical sites.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend provisional approval for the Medical Career College Vocational Nursing Program for a three (3) month period from March 1, 2015 through May 31, 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.
2. 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.
3. Continue to require the program to obtain approval by the full Board prior to the admission of additional students.
4. Deny the program's request to admit 15 students into a day class commencing September 21, 2015, and graduating October 14, 2016, to replace students scheduled to graduate September 4, 2015.
5. Deny the program's request to admit 15 students into an evening class commencing November 16, 2015, and graduating December 8, 2016 to replace students scheduled to graduate on November 5, 2015.
6. Require the program director to submit, under penalty of perjury, accurate and verifiable plans for clinical placements for maternity and pediatric nursing for currently enrolled students, no later than March 1, 2015.
7. 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 dates of graduation by March 1, 2015.
8. Require the program to provide no less than one (1) instructor for every ten (10) students in all clinical experiences.
9. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professionals Code, section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
10. 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.
11. Failure to take any of these corrective actions may cause the full Board to revoke the program's approval.
12. Place the program on the May 2015 Board agenda for reconsideration of provisional approval.

**Moved:** John Vertido

**Seconded:** Donna Norton

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.7. Preferred College of Nursing, Carson, Vocational Nursing Program. Reconsideration of Provisional Approval.**

Ms. Anderson presented a report relative to reconsideration of provisional approval for Preferred College of Nursing, Carson, Vocational Nursing Program. The program was placed on provisional approval for the three-month period ending February 28, 2015. In addition, the Board also approved the following recommendations based on violations discovered:

1. Require the program to submit documentation satisfactory to the Board substantiating proof of the following no later than **December 15, 2014**. Failure to provide the required documentation may cause the Board to immediately revoke the program's approval.
  - a. Physical site, equipment, and materials adequate for the currently enrolled students at which classes will be held.
  - b. Approved faculty adequate to provide theory and clinical instruction for the currently enrolled students.
  - c. Approved clinical facilities adequate as to number, type, and variety of clients treated to provide clinical experience in all areas of the Board – approved curriculum for the currently enrolled students.
2. Require the program to provide evidence of active administration of the program by a Board – approved director no later than **December 15, 2014**.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **57%**, 15 percentage points **below** the state average annual pass rate.

**Program Representative:** None.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Revoke Preferred College of Nursing, Carson, Vocational Nursing Program's provisional approval, effective immediately.
2. Remove the program from the Board's List of Approved Programs.

**Moved:** Eric Mah

**Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.8. Preferred College of Nursing, Los Angeles, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Report of Unannounced Survey Visit.**

Ms. Anderson presented a report relative to reconsideration of provisional approval and consideration of report of unannounced program survey visit for Preferred College of Nursing, Los Angeles, Vocational Nursing Program. The program was placed provisional approval for the two-year period from September 12, 2014 through September 30, 2016, due to non-compliance with regulatory requirements relative to program pass rates.

On October 29 and 30, 2014, Board representatives conducted an unannounced program inspection. Sixteen (16) violations of the California Code of Regulations were identified

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **59%**, 13 percentage points **below** the state average annual pass rate.

**Program Representative:** Bernard Sanchez, Director of Nursing; Faron Brindley, Vice President & Chief Financial Officer.

- Mr. Sanchez stated he agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:**

- Mr. Vertido expressed that one of his main concerns is the program obtaining clinical sites. Mr. Vertido asked Mr. Sanchez how long the program has been in search for clinical sites. Mr. Sanchez responded, four (4) months ongoing.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Require the Preferred College of Nursing, Los Angeles, Vocational Nursing Program to correct program deficiencies identified during the onsite inspection and submit a report identifying implemented interventions to include the following no later than March 1, 2015.
  - a. List of current faculty, dates of employment, teaching assignment.
  - b. Evaluation of clinical facilities.
  - c. Sufficiency of program resources.
  - d. Methods of facilitating accomplishment of competency-based clinical objectives in currently utilized clinical facilities.
  - e. Revised remediation policy that includes appropriate follow-up of students and oversight by the program director.
2. Require the program to submit previously requested documentation of faculty assignments and clinical placements as directed on the Faculty/Student Clinical Assignment form, on the

Maternity Faculty/Student Clinical Assignment form, and on the Pediatric Faculty/Student Clinical Assignment form, no later than March 1, 2015.

3. Require the program to submit either a Faculty Approval form or a notice of termination for the unapproved instructor, no later than March 1, 2015.
4. Require the program to submit Clinical Facility Applications for intended facilities no later than March 1, 2015.
5. Require the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by March 1, 2015.
6. Require the program to continue to comply with all previously issued corrections.
7. Failure by the program to complete any of the required actions will result in placement of the program on a subsequent Board agenda for Reconsideration of Provisional Approval.
8. Direct Board staff to issue a revised Notice of Required Corrections identifying specific areas of noncompliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations.

**Moved:** John Vertido

**Seconded:** Tammy Endozo

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**MOTION: Contingent upon the program's submission of documents substantiating correction of all identified deficiencies, defer to the Executive Officer consideration of the program's request to admit students prior to the May 15, 2015 Board Meeting.**

**Moved:** Vivien Avella

**Seconded:** Samantha James-Perez

Ms. Avella, Ms. Endozo, Ms. James-Perez, Mr. Moreno, Ms. Norton, and Mr. Vertido voted in favor of the motion; Mr. D'Braunstein and Mr. Mah were opposed; Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.9. Preferred College of Nursing, Van Nuys, Vocational Nursing Program. Reconsideration of Provisional Approval Based on Report of Unannounced Survey Visit.**

Ms. Anderson presented a report relative to reconsideration of provisional approval based on report of unannounced survey visit for Preferred College of Nursing, Van Nuys, Vocational Nursing Program. The program was placed on provisional approval for the four-month period from May 16, 2014, through September 30, 2014, due to non-compliance with regulatory requirements relative to program pass rates. The program's provisional approval was extended until May 31, 2016, pending the director's submission of a comprehensive analysis of the program no later than June 1, 2014. On May 30, 2014, the Board received the required comprehensive analysis from the program director and provisional approval was extended until

May 31, 2016. On September 12, 2014, the Board denied approval of the program's request to admit a class due to continued noncompliant pass rates and the program's lack of sufficient clinical experiences to support competency – based objectives.

On October 28 and 29, 2014, Board representatives conducted an unannounced onsite inspection of the program. Sixteen (16) violations of the California Code of Regulations were identified.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **55%**, 17 percentage points **below** the state average annual pass rate.

**Program Representative:** None.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Require the Preferred College of Nursing, Van Nuys, to correct violations identified during the onsite inspection and submit a report identifying implemented interventions no later than March 1, 2015.
2. Continue to require the program to admit no additional classes without prior approval by the full Board.
3. Require the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by March 1, 2015.
4. Require the program director, under penalty of perjury, to submit documentation of clinical experiences for both Pediatric and Maternity Nursing for all students scheduled to graduate in 2015 prior to graduation.
5. Require the program to submit a written report no later than March 13, 2015. The report shall include a comprehensive analysis of the program including identification of factors negatively impacting student achievement, specific actions taken to improve program pass rates, dates of implementation, the effect of employed interventions, and specific program resources required for achievement of program objectives. 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.
6. 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.
  7. Continue to require the program to demonstrate incremental progress in correcting the violations. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
  8. 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.
  9. Continue the program's placement on the program on the Board's May 2016 for reconsideration of provisional approval.

**Moved:** John Vertido

**Seconded:** Andrew Moreno

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.10. Santa Barbara Business College, Bakersfield, Vocational Nursing Program. Reconsideration of Provisional Approval; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to reconsideration of provisional approval and consideration of request to admit students for Santa Barbara Business College, Bakersfield, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from February 22, 2013 to February 28, 2015, due to non-compliance with regulatory requirements relative to program pass rates. Additionally, the Board denied the program's request for approval to admit 36 students with three (3) alternates commencing March 18, 2013, graduating May 21, 2014, to **replace** students that were scheduled to graduate December 20, 2012. The program was required to obtain approval by the full Board prior to the admission of students. On November 21, 2014, the Board approved the program's request to admit 36 students on January 5, 2015 graduating March 10, 2016, **provided** the program has no more than ten (10) students per instructor during clinical experience.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's current average annual pass rate is **68%**, four (4) percentage points **below** the state annual average pass rate.

**Program Representative:** Carolyn Santiago, Director.

- Ms. Santiago stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Extend Santa Barbara Business College Vocational Nursing Program's provisional approval for a one (1) year period from March 1, 2015 through February 28, 2016 and issue a certificate accordingly.
2. Continue to require the program to bring its average annual pass rate up to no more than ten (10) percentage points below the State average annual pass rate.
3. Approve the program's request to admit a class of 36 students on May 26, 2015, only; graduating July 28, 2016 to replace students that will graduate on March 12, 2015, provided the program has no more than ten (10) students per instructor during clinical experience.
4. 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 dates of graduation by June 1, 2015.
5. Require the program to submit an analysis of the effects of employed interventions delineated in the most recent submitted comprehensive analysis in nine (9) months, but no later than November 1, 2015.
6. Continue to require the program to comply with all approval standards in Article 4 of the Vocational Nursing Practice Act, commencing at Business and Professions Code section 2880, and Article 5 of the Board's Regulations, commencing at California Code of Regulations, Title 16, Section 2526.
7. Continue to require the program to demonstrate incremental progress in correcting the violation. If the program fails to satisfactorily demonstrate incremental progress, the full Board may revoke the program's approval.
8. Continue to require the program to admit no additional students without prior Board approval.
9. Place the program on the February 2016 Board agenda for reconsideration of provisional approval.

**Moved:** John Vertido

**Seconded:** Tammy Endozo

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**A.11. West Med College, Merced, Vocational Nursing Program. Reconsideration of Provisional Approval.**

Ms. Anderson presented a report relative to reconsideration of provisional approval and consideration of request to admit students for West Med College, Merced, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from February 24, 2012, through February 28, 2014, due to non-compliance with regulatory requirements relative to program pass rates. The program was required to admit no additional students unless approved by the Board. On February 13, 2014, the program's provisional approval was extended through February 28, 2015.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **79%**, seven (7) percentage points **above** the average annual pass rate.

**Program Representative:** Christy Bill, Assistant Director, San Jose Campus.

- Ms. Bill stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve WestMed College, Merced, Vocational Nursing Program for the four year period from February 13, 2015 through February 12, 2019, and issue a certificate accordingly.
2. Approve the program's request to admit a class of 20 students on April 20 2015, graduating on June 2, 2016, only. This is not a replacement class.
3. Defer to the Executive Officer the program's requests to admit a class of 20 students commencing on August 10, 2015, graduating on September 23, 2016, only, to replace the class that is scheduled to graduate in August 2015.
4. Require the program to admit no additional students unless approved by the Board.

**Moved:** John Vertido

**Seconded:** Samantha James-Perez

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**B.1. Palo Verde Community College Vocational Nursing Program. Consideration of Placement on Provisional Approval; Consideration of Unannounced Survey Visit; Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of placement on provisional approval, consideration of unannounced survey visit, and consideration of request to admit students for Palo Verde Community College, Vocational Nursing Program, due to non-compliance with regulatory requirements relative to program pass rates. On December 3, 2014, Board representatives made an unannounced onsite inspection of the program to determine compliance with regulatory requirements. Twelve (12) violations of the California Code of Regulations were identified.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **33%**, 39 percentage points **below** the state average annual pass rate.

**Program Representative:** Sharron Burgeson, Director; Virginia Armstrong, Nursing Consultant.

- Ms. Burgeson stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Place Palo Verde Community College, Vocational Nursing Program on provisional approval for two (2) year period from February 13, 2015, through February 28, 2017 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. Approve the program's request to admit 15 students on August 17, 2015; graduating December 15, 2016 **replacing** the class that is scheduled to graduate June 5, 2015, contingent on the following:
  - a. The program uses the Board approved curriculum or submits for Board approval a revised curriculum by May 30, 2015.
  - b. The program submits lesson plans consistent with the curriculum to be used for Board approval by May 30, 2015.
3. Require the program director to submit, under penalty of perjury, the names of all enrolled students, dates of admission, placement in the curriculum, and expected dates of graduation by September 1, 2015.
4. Require the program to admit no additional classes without prior approval by the Board.
5. Require the program to bring its average annual pass rate to no more than ten (10) percentage points below the State average annual pass rate.
6. Require the program to submit a follow-up report in eight (8) months, but no later than November 1, 2015, and in 22 months, but no later than November 1, 2016. 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 following elements must be addressed in the analysis.
  - a. Current Student Enrollment.
  - b. Admission Criteria.
  - c. Screening and Selection Criteria.
  - d. Terminal Objectives.
  - e. Curriculum Objectives.
  - f. Instructional Plan.
  - g. Theory and Clinical Objectives for Each Course.

- h. Lesson Plans for Each Course.
  - i. Textbooks.
  - j. Attendance Policy.
  - k. Remediation Policy.
  - l. Evaluations of Theory and Clinical Faculty.
  - m. Evaluations of Theory Presentations.
  - n. Evaluations of Clinical Rotations and Their Correlation to Theory Presentations.
  - o. Evaluation of Student Achievement.
7. 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 2525.
  8. 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.
  9. Failure to take any of these corrective actions may cause the Board to revoke the program's approval.
  10. Place the program on the February 2017 Board agenda for reconsideration of provisional approval.

**Moved:** Samantha James-Perez      **Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**C.1. Bay Area College of Nursing, Palo Alto, Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of request to admit students for Bay Area College of Nursing, Palo Alto, Vocational Nursing Program. The program was placed on provisional approval for a two- year period from November 10, 2011 through November 30, 2013, due to non-compliance with regulatory requirements relative to program pass rates. The program's provisional was extended through November 30, 2014. On November 21, 2014, the program's provisional approval was again, extended through November 30, 2015.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **75%**, 3 percentage points **above** the state average annual pass rate.

**Program Representative:** Rachelle Cagampan, Director, Dr. Yancy Aquino, Director of Education Services.

- Ms. Cagampan stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve the Bay Area College of Nursing, Palo Alto, Vocational Nursing Program's request to admit one (1) evening class of 20 students commencing February 23, 2015 and graduating May 22, 2016, provided the program secures and obtains Board approval for adequate clinical facilities, no later than February 20, 2015, such that Maternity Nursing and Pediatric Nursing clinical objectives can be accomplished.
2. Require the program to submit verifiable plans for clinical placements for Maternity Nursing and Pediatric Nursing for currently enrolled students no later than February 20, 2015.
3. Continue the program's requirement to obtain approval by the full Board prior to the admission of additional students.

**Moved:** John Vertido

**Seconded:** Samantha James-Perez

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**C.2. Casa Loma College, Anaheim, Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of request to admit students for Casa Loma College, Anaheim (formerly Hawthorne), Vocational Nursing Program. The program was placed on provisional approval for the two-year period from November 9, 2012, through November 30, 2014, due to noncompliance with regulatory requirements for program pass rates. The program's provisional approval was extended through November 30, 2015. At that time, the Board denied the program's request to admit students. On December 12, 2014, the Board received correspondence from the director requesting approval to admit a class of twenty (20) students to commence April 27, 2015, graduating May 4, 2016, to **replace** students graduating January 9, 2015.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **52%**, 20 percentage points **below** the state average annual pass rate.

**Program Representative:** Janet Nishina, Director

- Ms. Nishina stated she agrees with the recommendations, and reported she has zero students.

**Public Comment:** None.

**Board Discussion:**

- Ms. Avella noted she is concerned with the recommendation to admit new students due to the pass rates.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve Casa Loma College, Anaheim, Vocational Nursing Program's request to admit one (1) full – time class of twenty (20) students on April 27, 2015, only, graduating on May 4, 2016, to replace the class that graduated on January 9, 2014, provided the program provides no less than one (1) instructor for every ten (10) students in clinical experiences.
2. Continue to require the program to admit no additional classes without prior approval by the full Board.

**Moved:** Donna Norton                      **Seconded:** John Vertido

Mr. D'Braunstein, Ms. Endozo, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion; Ms. Avella, Ms. James-Perez, and Mr. Mah were opposed. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

### **C.3. InterCoast College, Fairfield, Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of request to admit students for InterCoast College, Fairfield, Vocational Nursing Program. On September 12, 2014, the program was placed on provisional approval due to noncompliance with regulatory requirements relative to pass rates, and also due to the number and type of violations identified on an unannounced program inspection conducted July 8 and 9, 2014.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **24%**, 48 percentage points **below** the state average annual pass rate.

**Program Representative:** Carla Carter, Program Director.

- Ms. Carter stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Deny the request to admit one class of thirty (30) students to a full -time class to begin on February 26, 2015 and graduating on June 9, 2016.
2. Approve the program's admission of fifteen (15) students to a full -time class to begin on February 26, 2015 and graduating on June 9, 2016, only.
3. Continue to require the program to provide no less than one (1) clinical instructor for every ten (10) students in all clinical experiences.
4. Continue to require the program to admit no additional classes without prior approval by the full Board.

**Moved:** Andrew Moreno

**Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**C.4. Premiere Career College Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of request to admit students for Premiere Career College, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from February 28, 2014, through February 28, 2016, due to non-compliance with regulatory requirements relative to program pass rates. The program was directed to obtain approval by the full Board prior to the admission of additional students.

The program is requesting approval to admit the following classes:

1. An evening class of 30 students commencing on March 9, 2015; graduating May 13, 2016. This class would **replace** students that graduated on December 5, 2014.
2. A day class of 30 students commencing on June 1, 2015; graduating August 5, 2016. Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **71%**, 1 percentage point **below** the state average annual pass rate.

**Program Representative:** Dr. Faye Arragon, President; Lorena Gabriel, Director of Student Services; Dr. Marcelano de Guzman, Director of Nursing and Education.

- Dr. de Guzman stated he agrees with the recommendations.

Dr. de Guzman stated his goal for the program is to protect the stakeholders, and proposed congratulations to the program for doing a great job. He also thanked the Board for approval of the program's request.

**Board Discussion:**

**MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve Premiere Career College Vocational Nursing Program's request to admit an evening class of 30 students commencing on March 9, 2015, graduating May 13, 2016, to replace students that graduated on December 5, 2014.
2. Approve the program's request to admit a day class of 30 students commencing on June 1, 2015, graduating August 5, 2016.
3. Continue to require the program to obtain approval of the full Board prior to the admission of additional students.

**Moved:** Donna Norton

**Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

#### **C.5. Shepherd University Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of request to admit students for Shepherd University, Vocational Nursing Program. The program was placed on provisional approval for the two-year period from May 16, 2014 through May 15, 2016, due to noncompliance with regulatory requirements relative to program pass rates. On September 12, 2014 the Board approved the program's request to admit a class of 20 students commencing November 3, 2014, and graduating February 19, 2016 only, to **replace** students who graduated September 2013, provided the program has no more than ten (10) students per instructor during clinical experience.

On October 20, 2014 the Board received notice from the director that the University administration had canceled the November 3, 2014 class due to low enrollment.

The program requests approval to admit 20 students commencing April 6, 2015, and graduating July 9, 2016, to **replace** students who graduated September 19, 2013.

Based on data from the 4<sup>th</sup> Quarter, the program's average annual pass rate is **29%**, 43 percentage points **below** the state average annual pass rate.

**Program Representative:** Daisy Magimaidason, Director

- Ms. Magimaidason stated she agrees with the recommendations, and can only implement the plans if they are allowed to have an additional 20 students.

**Public Comment:** None.

#### **Board Discussion:**

- Mr. Vertido asked Ms. Magimaidason if the program currently has any students. Ms. Magimaidason responded they currently have no students.
- Mr. Mah proposed having the program on the November 2016 agenda to have additional data.
- Based on decisions rendered May 16, 2014, the Board placed the program on provisional approval through May 16, 2016. Ms. Anderson asked Legal Counsel if the Board would have to extend provisional approval. Ms. Freedman recommended against extending provisional approval.
- Ms. Norton suggested a site visit for additional data.

#### **MOTION: To accept the report and adopt the recommendations as follows:**

1. Approve the Shepherd University Vocational Nursing Program's request to admit a class of 20 students commencing April 6, 2015, and graduating July 9, 2016 only, to **replace** students who graduated September 19, 2013, provided the program has no more than ten (10) students per instructor during clinical experience.

2. Continue the program's requirement to admit no additional classes without prior approval by the full Board.

**Moved:** John Vertido

**Seconded:** Vivien Avella

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

**C.6. West Med College, San Jose, Vocational Nursing Program. Consideration of Request to Admit Students.**

Ms. Anderson presented a report relative to consideration of request to admit students for West Med College, San Jose, Vocational Nursing Program. The program was placed on provisional approval for the one-year period from November 21, 2014 to November 30, 2015, due to noncompliance with regulatory requirements relative to program pass rates. The program requested approval to admit a class of 15 full-time students commencing March 16, 2015 and graduating May 5, 2015, to **replace** the class scheduled to graduate March 6, 2015.

Based on data from the 4<sup>th</sup> Quarter of 2014, the program's average annual pass rate is **52%**, 20 percentage points **below** the state average annual pass rate.

**Program Representative:** Marisol Manipol, Director; Christy Bill, Assistant Program Director.

- Ms. Manipol stated she agrees with the recommendations.

**Public Comment:** None.

**Board Discussion:**

- Mr. Mah asked Ms. Manipol if the instructor-to-student ratio is 1:15. Ms. Manipol responded the instructor-to-student ratio is 1:10.

**MOTION:** To accept the report and adopt the modified recommendations as follows:

1. Continue the provisional approval of WestMed College-San Jose, Vocational Nursing Program for the one-year period from November 21, 2014 to November 28, 2015.
2. Require the program to comply with required corrections specified in the Notice of Correction dated December 10, 2014.
3. Approve the program's request to admit a class of 15 full time students commencing March 16, 2015 and graduating May 5, 2015, only, to **replace** the class graduating March 6, 2015, contingent on the program maintaining an instructor-to-student ratio that does not exceed 1:10 in all clinical experiences.
4. Continue the program's requirement to admit no additional classes without prior approval by the full Board.

**Moved:** John Vertido

**Seconded:** Donna Norton

Ms. Avella, Mr. D’Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

## 9. EXECUTIVE OFFICER’S REPORT

The Ms. Bello-Jones provided an update on Board activities relative to:

- Board Members
- BreEZe
- Budget
- Internal Audit
- Personnel

**Public Comment:** None.

### **Board Discussion:**

- Ms. Avella states she is concerned with the budget. Ms. Bello-Jones advised if the Board follows the DCA-Budget Office’s suggestions in terms of cutting back, the Board will not have a short fall.

## 10. CONSENT CALENDAR.

A. Adoption of November 21, 2014 Board Meeting Minutes.

**Public Comment:** None.

### **Board Discussion:**

- Mr. Mah requested clarification of the correct copy of November 21, 2014 Board Meeting Minutes.

**MOTION:** Adoption of November 21, 2014 Board Meeting Minutes.

**Moved:** Todd D’Braunstein

**Seconded:** John Vertido

Ms. Avella, Mr. D’Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

B. Adoption of January 20, 2015, Special Board Meeting Minutes.

C. Executive Officer’s Report on Decisions for Vocational Nursing and Psychiatric Technician Programs.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: To adopt January 20, 2015 Board Meeting Minutes and accept and adopt the EO's Report on Decisions for VN and PT Programs.**

**Moved:** Eric Mah

**Seconded:** John Vertido

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

## **11. LEGISLATIVE REPORT.**

Carol Northrup, Licensing and Administrative Services Division Manager, provided a legislative update. Ms. Northrup reported Tuesday, February 10, 2015, there has been no introduction of Bills that have an effect on the Board.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: NO MOTION REQUIRED.**

## **12. REGULATORY REPORT.**

**A. Proposed Regulatory Action to Amend California Code of Regulations Sections 2517.5 (VN) and 2575.5 (PT), Fingerprint and Disclosure Requirements for Renewal of License.**

Ms. Northrup reported the final rulemaking package for the proposed regulatory action would be submitted to DCA by February 28, 2015.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: NO MOTION REQUIRED.**

**B. Update of Proposed Regulatory Action to Amend California Code of Regulations Sections 2526.1 (VN) and 2581.1 (PT), Provisional Approval, and Sections 2530 (VN) and 2585 (PT) General Requirements.**

Ms. Northrup reported the publication of notice is scheduled for February 20, 2015, and the required public hearing on the proposed regulations is scheduled for April 6, 2015.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: NO MOTION REQUIRED.**

## **13. ENFORCEMENT DIVISION REPORT.**

Marilyn Kimble, Enforcement Division Chief, provided an update relative to the Enforcement Division. Ms. Kimble reported the Enforcement Task Force prepared a progress update report.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: NO MOTION REQUIRED.**

#### **14. LICENSING DIVISION REPORT**

Ms. Northrup provided a report relative to the Licensing Division and highlighted applicant processing times; PT application processing time (approximately 4 weeks) and VN application processing time (approximately 6 weeks).

**Public Comment:** None.

**Board Discussion:** None.

**MOTION: NO MOTION REQUIRED.**

#### **15. EDUCATION DIVISION REPORT**

##### **A. Consideration of Extension of Moratorium on Review of Proposed Programs.**

Ms. Anderson provided a report relative to consideration of extension of moratorium on review of proposed programs.

**Public Comment:** None.

##### **Board Discussion:**

- Ms. Avella noted the Board's need for NECs.
- Ms. Bello-Jones said the salary issue for NECs is a bargaining unit matter.

**MOTION: Extend the moratorium on processing new proposals for commencement of vocational nursing and psychiatric technician programs through February 28, 2016.**

**Moved:** John Vertido

**Seconded:** Donna Norton

Ms. Avella, Mr. D'Braunstein, Ms. Endozo, Ms. James-Perez, Mr. Mah, Mr. Moreno, Ms. Norton and Mr. Vertido voted in favor of the motion. Ms. Leavitt and Ms. Rubin were absent. **The motion passed.**

##### **B. Division Updates.**

Effective January 1, 2015, Ms. Anderson reported that when revocation is recommended, the Board report will include a more detailed analysis of pass rates per cohort for the program.

**Public Comment:** None.

**Board Discussion:** None.

**MOTION:** NO MOTION REQUIRED.

**16. PUBLIC COMMENT PERIOD.**

**Public Comment:** None.

**Board Discussion:**

- Ms. Bello-Jones reported the Board is scheduled to appear before the joint Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions for its Sunset Hearing on March 23, 2015.
- Ms. Avella suggested using Committees on a regular basis for a more detailed look and attention to provide effective oversight.
- Ms. James-Perez agreed it would be helpful to use Committees.

**17. AGENDA ITEMS FOR FUTURE MEETINGS.**

**Public Comment:** None.

**Board Discussion:**

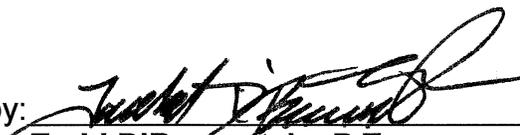
- Mr. Mah requested a soft copy of the reinstatement application and an update of the Uniform Standards.
- Mr. D'Braunstein requested to place the use of Committees as an agenda item at the next Board Meeting (May 2015).
- Ms. James-Perez stated she is interested in seeing more details of the test plan in a closed session in the May 2015 Board Meeting.

**18. ADJOURNMENT.**

The meeting was adjourned at 4:10 p.m.

Prepared by:   
\_\_\_\_\_  
**John Brooks**  
Acting Executive Officer

Date: 5-15-15

Approved by:   
\_\_\_\_\_  
**Todd D'Braunstein, P.T.**  
President

Date: 5-15-15