

MINUTES

UTAH EDUCATION COMMITTEE BOARD OF NURSING MEETING

JUNE 7, 2012

Room 464 – 4th Floor – 8:30 a.m.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 8:37 am

ADJOURNED: 12:54 pm

Bureau Manager:
Board Secretary:

Debra Hobbins, DNP, APRN, LSAC
Hailee Robertson, Licensing Specialist

Conducting:

Peggy Brown

Committee Members Present:

Gigi Marshall
Peggy Brown
Sheryl Steadman
Debra Mills

Guests:

Stephanie Slater, Broadview University
Louise Sowards, Nightingale College
Sally Russell, Eagle Gate College
Julie Aiken, Ameritech College

TOPICS FOR DISCUSSION

May 3, 2012 Minutes:

Review monthly NCLEX pass rates for provisionally approved programs:

Broadview University,
Stephanie Slater:

DECISIONS AND RECOMMENDATIONS

The May 3, 2012 minutes were tabled.

The NCLEX pass rates were reviewed. Ms. Slater stated Broadview University is unsure how many graduates will be taking the NCLEX before the end of the month. Ms. Slater indicated Mr. Jones could provide this information when he returns.

Stephanie Slater, Director of Nursing at Broadview University, provided Committee members with a copy of their Teach-Out Agreement. Ms. Slater reported an agreement was reached with Ameritech College to accept Broadview students in the event that Broadview closes their nursing program. Ms. Slater reported Ameritech College offers the AAS program in nursing and is believed to be comparable in content,

design and rigor to Broadview's program. Ameritech College is accredited by ABHES and the NLNAC. The agreement states that Ameritech will give Broadview students an opportunity to resume coursework during the next available semester for enrollment and to complete their course of study. Ameritech College will evaluate the courses and credits and will provide set guidelines for the transferability of the credits. Ameritech will administer competency testing prior to applying credits if it is determined necessary. Students will be offered repeat courses free of tuition. The enrolled student or Broadview University will be responsible for other course fees. Dr. Steadman questioned what sort of fees would be charged to the students. Ms. Slater stated Broadview will cover fees for text books. Ms. Slater reported a formal letter was sent to students informing them of the terms of the articulation agreement and Broadview staff has reviewed the articulation agreement in detail with each cohort. Ms. Mills questioned how the students responded. Ms. Slater stated the students are unhappy because they like the school, faculty and the rigor of the coursework. Several students questioned why they were not informed sooner. Ms. Slater explained to these students that both programs had to agree to the Teach-Out Agreement and the Agreement was just recently signed. Ms. Slater stated 99% of the students want to finish out at Broadview; however there were several students who questioned if they could transfer now. Julie Aiken, Ameritech College joined the meeting. Ms. Marshall questioned whether or not Ameritech College was willing to accept transfer students early. Ms. Aiken stated it would be possible. She indicated the program would test the student prior to accepting them into the program, but expect they are at ATI level 2. Committee members indicated Ameritech must remain in compliance with the NCLEX pass rates as stated in Rule. The Teach-Out Agreement also indicates that students aren't required to pay more than what they agreed to with Broadview. Ms. Aiken stated there will be a small lab fee and if the student exceeds what they agreed to pay Broadview, Broadview would pay for the text books. Ms. Aiken indicated that the maximum capacity for Ameritech's program is 50 students every semester.

Twenty students would be coming from Broadview every semester and they expect the students will complete the program in four or five semesters. Ms. Aiken reported that IHC is willing to provide clinical sites. Ms. Marshall questioned if Ameritech has enough faculty members to meet the requirements. Ms. Aiken indicated they will have enough faculty members. Committee members thanked Ms. Aiken for the time and effort she put into this agreement.

Nightingale College of Nursing,
Louise Sowards:

Ms. Sowards explained the faculty situation at Nightingale. She reported Sue Jerro is a full-time faculty member and clinical coordinator because she does not have the educational experience for the administrator position. Ms. Sowards explained the circumstances with Rebecca McInnis' employment. She reported that the program sent students to Ms. McInnis' OB clinic for observation. Ms. Sowards stated Ms. McInnis did not teach clinicals. Committee members indicated Ms. McInnis does not have a master's degree in nursing and she was not licensed at the time the program was sending students to her clinic. Committee members questioned why the program listed Ms. McInnis as a faculty member on the May 29, 2012 correspondence. Committee members indicated that Nightingale College notified the Committee at their May 3, 2012 meeting that Ms. McInnis had been terminated as a faculty member. Ms. Sowards indicated the program notified Ms. McInnis that she was not qualified on May 31, 2012. Committee members questioned why Nightingale reported there was no contract, yet Ms. McInnis provided the Division with a copy of the contract. Ms. Marshall stated the Committee is being told one thing by Nightingale and another by Ms. McInnis. Committee members indicated this is a huge concern and requested Nightingale provide documentation to show the date Ms. McInnis' contract was terminated. Ms. Marshall also stated she is concerned that the program does not understand the Nurse Practice Act and Rule. Dr. Hobbins indicated that the program administrators need to be educated regarding all statute and rules and they should be verifying licenses and credentials before hiring faculty members. Ms. Soward indicated they were misinformed about the fact that faculty had three years to receive the MSN

after their hire date. She reported many of her faculty members only have a BSN degree. Dr. Hobbins indicated the section they are referring to is R156-31b-603 (6)(b)(ii). However, (7) reads that any currently employed nursing program administrator or faculty member who does not meet the criteria established in subsection (5) or (6), shall have until July 1, 2011 to meet the criteria. This means that the faculty had three years to obtain the MSN, but that time period expired July 1, 2011. Committee members discussed faculty members. Linda Benson is a new hire and a CV will need to be sent to the Committee. Karen Sincerbeauz has a BSN degree and is not qualified to teach. Ms Sowards reported that both Ms. Sincerbeauz and Taylor Wallace are teaching assistants. Committee members indicated Nightingale has them listed as part-time clinical instructors on the paperwork submitted to the Committee and to NLNAC. Committee members requested a list of current faculty and what courses they are teaching. Committee members also requested a job description for the teaching assistants. Committee members reminded Ms. Sowards that there are no exceptions to the rule that faculty members must have an MSN to teach.

Ms. Sowards indicated the program is providing OB and pediatric nursing clinical hours at Central Valley Medical Center in Nephi and Children's Classic.

Dr. Hobbins indicated Nightingale just obtained candidate status and must become fully accredited by NLNAC within two years of the first graduating class. Nightingale's first class graduated December 2011. Therefore, they must have full accreditation by December 2013 and must have a site visit by December 2012. If there is no NLNAC site visit by December 2012, Nightingale will not be allowed to accept new students.

Committee members also questioned the current status of their students. Ms. Sowards reported there were 18 students and eight graduated. Committee members questioned what happened to the ten remaining students?

Ms. Soward indicated that Desiree Jennings and

Rebecca McInnis are no longer employed by Nightingale College. Committee members indicated the program is out of compliance regarding faculty members and requested Ms Soward provide documentation of termination for these individuals, the last date of work, provide a copy of the severance agreement, submit a list of all current faculty members and CV's for new hires, list of students and graduation dates, and submit copies of all correspondence to/from NLNAC. There are only four individuals who meet the faculty requirements and these are Ms. Sowards, Sue Jero, Linda Benson and Jodi Garcia. Committee members questioned whether or not four faculty members would be able to provide the adequate support for the students.

Dr. Hobbins indicated that the Division may send out a MOU listing the violations and placing the program on probationary status due to non-compliance with faculty standards and NCLEX pass rates. Ms. Sowards indicated that they will admit their next class August 2012 and January 2013. Ms. Mills expressed concern with a small faculty and feels it may impact student success. Another area of concern, though not addressed in Rule, is that faculty members do not reside in the Ogden area. Faculty members are not on campus and most instruction is completed by distance learning. Committee members expressed concern whether or not this program should be accepting new students. Ms. Sowards stated she believes the program is solid and would be okay to accept new students.

Ms. Marshall made a motion that a MOU be issued and the program cease admitting new students until January 2013 contingent upon addressing all compliance issues. The program will meet with the Committee in August to clarify faculty credentials and must provide documentation that all faculty members meet the requirement in Statute and Rule. The program must document they have a sufficient number of qualified faculty members. They must provide faculty CV and meet with the Committee on a monthly basis. Students' NCLEX pass rates must meet the requirement of Rule. The program needs to make sure that all communication is accurate, verbally

or written and is reflective of the current progress. Ms. Mills seconded the motion. All Committee members voted in favor of the motion.

Update regarding Medication Aide Certified:

Dr. Hobbins reported the Division is working on an application for the Medication Aide education program. She also reported she will be meeting with members from NCSBN regarding the Medication Aide examination. Ms. Brown reported that Wyoming had the first eight students pass the national Medication Aide examination. Committee members indicated that CNA's are not permitted to pass medications unless they become certified.

Report on visit to Aspen Clinical Research:

Dr. Hobbins reported the Division received PN applications from two students that did not graduate from an approved program. Dr. Hobbins indicated she visited the Aspen Clinical Research program along with Irene Woodford, Division investigator. Dr. Hobbins read the letter submitted by Mr. Wayne Croft. Dr. Hobbins indicated that Mr. Croft was informed that the students were required to complete an accredited program and suggested he read the Nurse Practice Act and Rule. Mr. Miller, U.S. Department of Labor, spoke with Committee members via the telephone. He reported the program is affiliated with Mountainland ATC and the Department of Labor sets up clinicals in physician offices. A copy of the 2005 minutes were provided to Committee members indicating at that time the Department of Labor was not an approved LPN program. Ms. Marshall made a motion that Aspen Clinical Research Cease and Desist operating as a program for LPN's and to cease advertising as an LPN program. Dr. Steadman seconded the motion. All Committee members voted in favor of the motion.

Review Written Reports from provisionally approved programs:
Eagle Gate College:

Eagle Gate College reported 30 students graduated and five students have taken the NCLEX examination. All five students passed the examination. Eagle Gate reported that NLNAC Accreditation Committee meets on June 11, 2012 and they expect full accreditation by July 2012.

Everest College:

Dr. Hobbins reported a MOU was sent to Everest College due to the fact they did not apply for and receive NLNAC candidacy status within 6 months of the date the first nursing class began. Once the MOU is signed, the provisional status will be changed to provisional/probationary status. July 2012 is the one year date and the program needs to have an NLNAC site visit scheduled by that date. Everest College will not be allowed to accept new students if they don't obtain the Candidacy status by the August Committee meeting. The Education Committee would meet with the program in August to find out where they are in the process.

Fortis College:

Fortis College had the NLNAC site visit scheduled within the timeframe in Rule, however, they requested the visit be rescheduled and it will be outside the timeframe. A letter will be sent indicating the program needs to read and understand the Nurse Practice Act and Rule. The first class graduated March 2012 and the program has two years to obtain full NLNAC approval. Committee members discussed sending a Letter of Warning.

Western Governors University:

The report from Western Governors University was not received at the time of the meeting. However, the report came in later and was not reviewed.

University of Utah:

Dr. Steadman made a motion to have the University of Utah provide a report regarding the innovation program by September 2012 with outcomes regarding the 50% simulation program. Ms. Mills seconded the motion. All Committee members voted in favor of the motion.

Review letter from Utah State University:

Dr. Hobbins reported the Division received transcripts from Utah State University for students who graduated from CEU. Since Utah State University is not an accredited program, they were contacted and will submit notification to the Division/Education Committee of the transfer and name change.

Review letter of intent from Snow College:

Snow College would like to start an associate degree nursing program. Weber State University had a campus at Snow College, but has withdrawn its ADN program from the area. Snow College has a current

PN program that is NLNAC accredited. Committee members indicated the letter of Intent was accepted and the program needs to begin the application process.

Weber State University:

Committee members reviewed Weber State's response to the NLNAC regarding three substantive program changes that will be implemented fall 2012. These changes include the termination of the LPN program; curriculum changes in the ADN and BSN programs to a concept based curriculum; and initiation of two post-mater's certificate program, one track in administration and one track in education. This is informational and Committee members thanked Weber State for the notification.

Review letter from Stevens-Henager College:

The letter received from Stevens-Henager lists three faculty members that are BSN prepared. Ms. Richards indicates that the date of hire for these individuals was May 2012. Stevens-Henager College is out of compliance for the established standards for faculty members according to R156-31b- 604(1)(c) (d). They received a warning letter regarding NCLEX pass rates and as of May 2012 they are significantly out of compliance regarding faculty members. Committee members indicated that to maintain consistency, the program should be placed on probation. The program is NLNAC accredited and must notify the Education Committee if the NLNAC takes any action regarding the faculty or any other issues. The program needs to inform the Board of NLNAC site visit date. The program must provide CV's of all current faculty, employment contracts and tenure of nursing administrators.

Dr. Hobbins reported the student who received her official transcripts and was issued a license is being informed by Stevens-Henager that she did not graduate from the program.

Review letter from Chamberlain College of Nursing:

Committee members indicated that clinical sites are sparse for in-state programs. However, the Committee cannot limit clinical sites to in-state programs if the out-of-state program meets the standards outlined in Statute and Rule. The only program that the Board would have jurisdiction over is the FNP program.

Committee members requested notification if the program places students in clinical settings in Utah.

Next meeting:

The July 5, 2012 meeting will be cancelled. The next meeting will be held August 2, 2012 at 8:30 a.m.

Informational:

The Division received notice that Karla Larson is the new nursing administrator for Provo College. Committee members requested a copy of Ms. Larson's CV.

Dr. Hobbins reported she sent a letter to the VA Hospital indicating that the Division would follow the rule and no longer allow those nurses employed at the VA to hold both the PN and the RN license. The Rule requires that the lesser license be superseded once the RN license is issued.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

August 2, 2012
Date Approved

(ss) Peggy Brown
Gig Marshall/Peggy Brown, Co-Chair,
Education Committee

August 2, 2012
Date Approved

(ss) Debra Hobbins
Debra Hobbins, Bureau Manager,
Division of Occupational & Professional Licensing