

Agenda Item #5.C.I.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
Board of Vocational Nursing and Psychiatric Technicians
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DATE	February 9, 2021
TO	<input checked="" type="checkbox"/> Board Members <input type="checkbox"/> Education and Practice Committee <input type="checkbox"/> Executive Officer Review
FROM	<input type="checkbox"/> Education and Practice Committee <input type="checkbox"/> Executive Officer <input type="checkbox"/> SNEC <input checked="" type="checkbox"/> LNEC
REVIEWED BY	Beth DeYoung, MPH, RN Lead Nursing Education Consultant (LNEC)
PREPARED BY	Cindy Fairchild EdD, MSN, RN, PHN Nursing Education Consultant (NEC)
SUBJECT	Reconsideration of Provisional Approval
PROGRAM	Hacienda La Puente Adult Education, Vocational Nursing Program (Program) (Director: Suzanne Zemer, La Puente, Los Angeles County, Adult School)

Please note: The NECs make recommendations. The recommendations are forwarded to one or more: the Executive Officer Review, the Education and Practice Committee or the full Board for action.

PROGRAM REQUEST:

Remove from provisional approval and return for full-approval.

Prior Board Decision:

On February 22, 2019, Hacienda La Puente Adult Education, Vocational Nursing Program was placed on provisional approval for the period of February 22, 2019, through February 22, 2021, due to noncompliance with regulatory requirements relative to the violations identified during the unannounced site visit.

BACKGROUND:

On October 23-25, 2018, an unannounced onsite inspection, where twenty-one violations were identified.

On May 1, 2019 all violations were corrected and cleared by the NEC.

STAFF ANALYSIS:

The Program addressed all violations and demonstrated full compliance with Article 5 of the Vocational Nursing Rules and Regulations.

The NEC reviewed and analyzed the documents provided by the program director to verify adequate resources to meet the program's approved objectives. Due to the COVID-19 pandemic, the program has been displaced from several clinical sites. However, the Program can place students into clinical facilities to complete 50 percent of the clinical hours performing direct-patient care. Theory is conducted both in the classroom and a modified online format.

The Program has maintained an average annual NCLEX- PN® pass rate above the state annual average pass rate for the past eight quarters. The NCLEX-PN® pass rate of the fourth quarter of 2020 is 67%, however it should be noted that no students took the NCLEX-PN during the fourth quarter of 2020.

STAFF RECOMMENDATIONS:

Please note: These are not NEC decisions, rather the recommendations presented at the Executive Officer Review, the Education and Practice Committee and/or the full Board for action.

1. Grant the Program full approval for a period of four years beginning February 19, 2021, through February 19, 2024, and issue a certificate accordingly.
2. Comply with all program requirements listed below.

PROGRAM REQUIREMENTS:

1. Notify the NEC in the event a current class is displaced from clinical sites.
2. Notify the NEC when a course is 50 percent complete, and submit an update related to clinical sites.
3. Require the program to admit no additional classes without prior approval by the Executive Officer.
4. 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 California Code of Regulations, Title 16.

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

RELEVANT PROGRAM ELEMENTS

Enrollment

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

“(k) The program shall have prior Board approval to increase the number of students per class and/or increase the frequency of admission of classes. Criteria to evaluate a school's request to increase the number of students per class and/or increase the frequency of class admissions include but are not limited to: (1) Sufficient program resources as specified in Section 2530(a). (2) Adequacy of clinical experience as specified in Section 2534. (3) Licensure examination pass rates as specified in Section 2530(l).”

The Program offers full-time day classes that are 48 weeks in length. Currently, the Program must obtain Board approval prior to the admission of each class. The following table represents current student enrollment. The table indicates a maximum enrollment of 20 students for the period January 2021 through January 2021.

ENROLLMENT DATA TABLE

Class Start Dates	Class Completion Dates	Number of Students Admitted	Number of Students Current	Number of Graduates	Total Enrolled
9/19 *(12/20)		18	15		15
	12/20 9/19			-15	15-15 = 0
1/21 *(12/21)		20			20

*Indicates projected graduation date

Licensing Examination Statistics

California Code of Regulations Section 2530(l) states:

“The program shall maintain a yearly average minimum pass rate on the licensure examination that does not fall below 10 percentage points of the state average pass rate for first time candidates of approved vocational nursing schools for the same period.”

The following statistics, furnished by Pearson VUE and published by the National Council of State Boards of Nursing as “Jurisdictional Summary of All First-Time Candidates

Educated in Member Board Jurisdiction” for the period January 2019 through December 2020, specify the pass percentage rates for graduates of the Program on the National Council Licensure Examination for Practical/Vocational Nurses (NCLEX-PN®) and the variance from state average annual pass rates.

NCLEX-PN® Licensure Examination Data

Quarterly Statistics				Annual Statistics *			
Quarter	# Candidates	# Passed	Percent Passed	State Average Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate [CCR 2530(1)]	Variance from State Average Annual Pass Rate
Jan-Mar 2019	15	10	67%	80%	76%	81%	-5
Apr-June 2019	3	3	100%	83%	81%	81%	equal
July-Sep 2019	23	21	91%	79%	85%	79%	+6
Oct- Dec 2019	4	4	100%	79%	84%	79%	+5
Jan-Mar 2020	0	0	NA	78%	93%	79%	+14
Apr-Jun 2020	1	1	100%	81%	93%	79%	+14
Jul-Sep 2020	2	1	50%	75%	86%	78%	+ 8
Oct-Dec 2020	0	0	67%	75%	67%	77%	- 10

*The Annual Pass Rate changes every quarter. It is calculated by dividing the number of candidates who passed during the current and previous three quarters by the number of candidates who tested during the same period. If no data is available for the relevant period, the statistic is carried over from the last quarter for which data is available.

Based on the most recent data available (October through December 2020), the program’s average annual pass rate is 67 percent. The California average annual pass rate for graduates from approved vocational nursing programs who took the NCLEX-PN® Licensure Examination for the first time during the same period is 77 percent. The average annual pass rate for the Program is ten percentage points below the state average annual pass rate.

Faculty and Facilities

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

“For supervision of clinical experience, there shall be a maximum of 15 students for each instructor.”

The total number of approved faculty is four, including the director. The director has 80 percent administrative duties and 20 percent teaching duties. All instructors are approved to teach clinical. On February 22, 2019, the Board required the Program to provide one instructor for every ten students in clinical experiences. Therefore, for a maximum enrollment of 20 students, two instructors are needed for clinical supervision. The utilization of faculty at clinical facilities is such that the clinical instruction is covered adequately.

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

“Schools shall have clinical facilities adequate as to number, type, and variety of patients treated, to provide clinical experience for all students in the areas specified by Section 2533. There must be available for student assignment, an adequate daily census of patients to afford a variety of clinical experiences consistent with competency-based objectives and theory being taught.”

Due to the COVID-19 pandemic, some of the program’s approved clinical facilities have displaced students, thereby not allowing student access to all clinical sites. Submitted documentation indicates sufficient clinical facilities to afford the number, type and variety of patients that will provide clinical experience consistent with approved competency-based objectives and theory being taught for the current enrollment.

OTHER CONSIDERATIONS

The following have been implemented to assure compliance with Article 5 of the Vocational Nursing Rules and Regulations

- Program has increased the number of faculty and facilities.
- A system for maintaining files has been implemented to prevent lose and misplacement of documents.
- Administration meets with faculty on a regular basis to monitor clinical scheduling and to assure that theory and clinical experiences correlate.

ATTACHMENTS:

Attachment A: History of Prior Board Actions

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

HACIENDA LA PUENTE ADULT EDUCATION VOCATIONAL NURSING PROGRAM

History of Prior Board Actions

- In September 1980, the Board approved commencement of a part-time vocational nursing program at La Puente Valley Adult School, La Puente, California, with an initial class of 30 students.
 - In April 1982, the Board approved initial full accreditation of the La Puente Valley Adult School Vocational Nursing Program.
- In January 1985, the Board approved the program's major curriculum revision. The program's revised curriculum included 1,578 hours (600 theory hours; 978 clinical hours).
- In January 1991, the Board considered the report of the survey August 14-17, 1990 survey visit. The Board approved the program's continued accreditation.
- In April 1991, the Board ratified the consultant's approval of the program's revised curriculum for 1,530 hours (576 theory hours; 954 clinical hours).
- **On August 17, 1995, a new program director was approved.**
- In May 1996, the Board ratified the consultant's approval of the program's revised instructional plan for a part-time class to a 48-week full-time class. The total hours remain the same.
- On November 16, 2001, the Board approved continued full accreditation of the Hacienda La Puente Vocational Nursing Program for the four-year period from November 16, 2001, to November 16, 2005, and issued a certificate accordingly.
- On November 8, 2002, the Board approved the program's request to increase the class size from 30 to 45 students for the class commencing January 6, 2003, only.
- On November 14, 2003, the Executive Officer approved the program's request to admit a class of 15 students commencing January 5, 2004, only.
- On April 14, 2004, the Executive Officer approved the program's request to admit an additional class of 15 students commencing June 28, 2004, only. The proposed class will graduate June 15, 2005. The students in this class are Kaiser Permanente employees sponsored by a partnership on Kaiser and the employee unions.

- On September 16, 2005, the Executive Officer approved continued full accreditation for the Hacienda La Puente Vocational Nursing Program for the four-year period from September 16, 2005, to September 15, 2009, and issued a certificate accordingly. Additionally, the program's request to admit an additional 15 students to the January class effective January 9, 2006, was approved.
- On July 15, 2009, the program submitted its Program Records Survey for continued accreditation.
- On September 3, 2009, the Executive Officer approved continued full accreditation for the Hacienda La Puente Adult Education Vocational Nursing Program for a four-year period from September 16, 2009, through September 15, 2013, and the Board issued a certificate accordingly.
- **On August 18, 2016, a new program director was approved.**
- On May 11, 2018, the Executive Officer adopted the following recommendations:
 - Continue full approval for the Hacienda La Puente Adult Education Vocational Nursing Program for a four-year period from September 16, 2017, through September 15, 2021, and issue a certificate accordingly.
 - Continue approval of the program's ongoing admissions to **replace** graduating classes, only, with the following stipulations:
 - No additional classes are added to the program's pattern of admissions without prior Board approval. The program's pattern of admissions will include admission of one (1) class of 30 students two (2) times per year, only.
 - The director documents that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
 - The program maintains an average annual pass rate that is compliant with Section 2530 (l) of the Code.
- On September 4, 2018, the Executive Officer adopted the following recommendations:
 - Rescind approval of Hacienda La Puente Adult Education Vocational Nursing Program's ongoing admission of two full-time classes of 30 students each calendar year to replace graduating students, only, effective immediately.
 - Require the program to admit no additional classes without prior approval by the Board.
 - Require the program, when requesting approval to admit students, to:
 - Submit all documentation in final form, using the forms provided by the Board, no later than two months prior to the requested start date for the class.
 - Provide documentation that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.

- Require the program to: Correct all identified violations, and Submit a report by September 15, 2018, that substantiates the adequacy of program resources, including, but not limited to:
- Clinical facilities and instructors that can provide a variety of clinical experiences that are consistent with the competency-based objectives and theory in the Board-approved instructional plan, and
- Number of faculty and facilities adequate for the number of enrolled students.

On February 22, 2019, the Board adopted the following recommendations:

1. Place the Hacienda La Puente Adult Education Vocational Nursing Program on provisional approval for the two-year period beginning February 22, 2019; and issue a notice to the program to identify specific area of non-compliance and requirements for correction as referenced in Section 2526.1 of the California Code of Regulations.
2. Require the program to correct existing violations identified during the onsite inspection and submit documentation of corrections of all violation no later than **May 1, 2018**.
3. Require the program to admit no additional classes without prior approval by the Board.
4. Require the program to submit a report to the Board by seven months, no later than **September 2, 2019**, and twenty-one months, no later than **November 1, 2020**. The report must include a comprehensive analysis of the program, timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Admission and Screening Criteria.
 - b. Terminal Objectives.
 - c. Evaluate the Current Curriculum for Possible Update Curriculum to include:
 - 1- Program objectives
 - 2- Instructional Plan
 - 3- Theory and Clinical Objectives for Each Course
 - 4- Lesson Plans for Each Course
 - 5- Evaluation of Correlation of Theory and Clinical
 - 6- Textbooks
 - d. Student Policies to include
 - 1- Attendance Policy
 - 2- Remediation Policy
 - 3- Evaluation of Student Achievement
 - 4- Credit Granting
 - e. Evaluation of available clinical facilities approvals to determine adequacy in number and variety to accommodate current and projected students.
 - f. Evaluations of Theory and Clinical Faculty.
 - g. Evaluations of Theory Presentations.

- h. Evaluations of Clinical Rotations and Their Correlation to Theory presentations.
 - i. Evaluation of Student Achievement.
5. Require the program to provide no less than one (1) instructor for every ten (10) students in clinical experiences.
 6. 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.
 7. 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. Place the program on the Board's **February 2021** agenda for reconsideration of provisional approval.

On August 20, 2019, the Board adopted the following recommendations:

1. Approve the Hacienda La Puente Adult Education Vocational Nursing Program's request to admit a full-time class of 20 students commencing on September 9, 2019, graduating on September 26, 2020.
2. Continue to require the program to provide no less than one instructor for every ten students in clinical experiences.
3. Require the program, when requesting approval to admit students, to:
 - a. Submit all required documentation in final form by the fifteenth day of the second month preceding the month of the Board meeting at which the changes will be considered.
 - b. Provide documentation that adequate resources, i.e., faculty and facilities, are available to support each admitted class of students.
 - c. Maintain an average annual pass rate that is compliant with Section 2530(l) of the Vocational Nursing Rules and Regulations.
4. As previously required by the Board, the program must submit a report to the Board within seven months, no later than September 2, 2019, and twenty-one months, no later than November 1, 2020. The report must include a comprehensive analysis of the program, the timeline for implementation, and the effect of employed interventions. The following elements must be addressed in the analysis.
 - a. Admission and Screening Criteria.
 - b. Terminal Objectives.
 - c. Evaluate the Current Curriculum for Possible Update Curriculum to include:

- 7- Program objectives
 - 8- Instructional Plan
 - 9- Theory and Clinical Objectives for Each Course
 - 10-Lesson Plans for Each Course
 - 11-Evaluation of Correlation of Theory and Clinical
 - 12-Textbooks
 - d. Student Policies to include
 - 5- Attendance Policy
 - 6- Remediation Policy
 - 7- Evaluation of Student Achievement
 - 8- Credit Granting
 - e. Evaluation of available clinical facilities approvals to determine adequacy in number and variety to accommodate current and projected students.
 - f. Evaluations of Theory and Clinical Faculty.
 - g. Evaluations of Theory Presentations.
 - h. Evaluations of Clinical Rotations and Their Correlation to Theory presentations.
 - i. Evaluation of Student Achievement.
5. 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 California Code of Regulations, Title 16, commencing with section 2526
 6. Continue to require the program to demonstrate incremental progress in correcting the violations. Failure to take any of these corrective actions may cause the Board to revoke the program's approval.

On November 20, 2020, the Board adopted the following recommendations:

1. Approve the Hacienda La Puente Adult Education Vocational Nursing Program's request to admit a full-time class of 30 students commencing January 25, 2021, graduating on December 20, 2021, to replace the December 17, 2020, graduating class.
2. Place the Program on the February 19, 2021, Board Meeting Agenda for reconsideration of provisional approval.
3. Comply with all program requirements listed below.

PROGRAM REQUIREMENTS:

1. Notify the NEC in the event a current class is displaced from clinical sites.
2. Notify the NEC when a course is 50 percent complete, and submit an update related to clinical sites.

3. Continue to provide no less than one instructor for every ten students in clinical experiences. Regulation 2534(d) states, "For supervision of clinical experience, there shall be a maximum of 15 students for each instructor".
4. Obtain Board approval prior to the admission of each class.
5. When requesting approval to admit students, to:
 - a. Submit all required documentation in final form by the fifteenth day of the second month preceding the month of the Board meeting at which the changes will be considered.
 - b. Provide documentation that adequate resources, i.e. faculty and facilities, are available to support each admitted class of students.
 - c. Maintain an average annual pass rate that is compliant with Section 2530(l) of the Vocational Nursing Rules and Regulations.
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 California Code of Regulations, Title 16.
7. Board staff will continue to monitor the program's effectiveness by tracking class admissions, the effectiveness of employed interventions and the program's licensure examination pass rates each quarter.
8. Failure to take any of these corrective actions may cause the Board to revoke the program's approval.