

## Agenda Item # 14.G.



STATE AND CONSUMER SERVICES AGENCY • ARNOLD SCHWARZENEGGER, GOVERNOR  
**BOARD OF VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**  
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DATE: September 1, 2010

TO: Board Members

FROM:   
Pam Hinckley, R. N., M.S.N.  
Nursing Education Consultant

SUBJECT: Medical Allied Career College, Vocational Nursing Program –  
Consideration of Placement on Provisional Accreditation  
(Director: Phillip Miller, Santa Fe Springs, Los Angeles County, Private)

Medical Allied Career College, Santa Fe Springs, Vocational Nursing Program is presented to the Board for consideration of placement on provisional accreditation.

In accordance with Section 2526.1(c) of the Vocational Nursing Rules and Regulations,

“The Board may place any program on provisional accreditation when a program does not meet all requirements as set forth in this chapter and in Section 2526...”

Section 2530(l) of the Vocational Nursing Rules and Regulations 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 accredited vocational nursing schools for the same period.

(1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation.”

The following table shows the variance of the program’s pass rates from the state average annual pass rates of first time graduates of accredited vocational nursing programs for the past nine (9) quarters. This data substantiates the program’s noncompliance with Section 2530(l) of the Vocational Nursing Rules and Regulations.

NCLEX-PN® Licensure Examination Pass Rates			
Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate	Variance from State Annual Average Pass Rate
Apr – Jun 2008	75%	67%	-8
Jul - Sep 2008	74%	33%	-41
Oct - Dec 2008	73%	33%	-40
Jan – Mar 2009	72%	0%	-72
Apr – Jun 2009	70%	13%	-57
Jul - Sep 2009	72%	25%	-47
Oct – Dec 2009	73%	36%	-37
Jan – Mar 2010	74%	31%	-43
Apr – Jun 2010	75%	44%	-31

The program requests approval to admit a part – time class of 15 students on October 18, 2010, graduating May 25, 2012.

### History of Prior Board Actions

- On April 12, 2005, the Executive Officer approved Medical Allied Career Center's request to begin a vocational nursing program with an initial class of 15 students commencing September 11, 2006, only; and approved the program curriculum for 1,554 hours, including 594 theory and 960 clinical hours.
- On September 11, 2006, the Board approved a postponement of the starting date for the first class from September 11, 2006 until October 9, 2006. The revised graduation date of this initial class was October 26, 2007.
- On October 22, 2007, the Executive Officer approved full accreditation for Medical Allied Career Center, Vocational Nursing Program for the period October 22, 2007, through October 21, 2011, and issued a certificate accordingly. Additionally, the following program requests were approved.
  1. Approved admission of a full-time **replacement** class for students graduating October 26, 2007, with 30 students to start on October 29, 2007, with an anticipated graduation date of November 20, 2008.
  2. Approved admission of a full-time additional class of 30 students to start on April 7, 2008, with an anticipated graduation date of April 30, 2009.

Subsequently, the start date of this class was delayed until July 14, 2008 due to low enrollment.

- On October 8, 2008, the Executive Officer approved the program's request to admit 30 part-time students on October 24, 2008, only, with an anticipated graduation date of May 30, 2010 **and** approved the request to admit a class of 30 full – time students on November 17, 2008 only, with an anticipated graduation date of December 11, 2009, to **replace** a graduating class.

Commencement of the October 24, 2008 class was delayed until February 9, 2009, due to low enrollment.

- On April 21, 2009, the Board notified the director electronically that the Medical Allied Career Center Vocational Nursing Program's pass rates had fallen below 10 percentage points of the state average pass rates. The consultant encouraged a careful review of the program curriculum and instructional methods in an effort to improve the pass rates.
- On August 19, 2009, the Board notified the director that the program's average annual pass rates had fallen below 10 percentage points of the state average annual pass rate for four (4) consecutive quarters. The consultant requested submission of a written plan for improving the pass rates.
- On September 17, 2009, the Board received the director submitted the program's plan to improve its pass rates.
- On September 23, 2009, the assigned consultant contacted the school to explain computation of the annual pass rates.
- On November 4, 2009, the Executive Officer denied the program's request, to admit 30 full-time students on November 16, 2009, with an anticipated graduation date of December 17, 2010, to **replace** students who graduated October 16, 2009. Additionally, the Executive Officer denied the program's request, to admit 30 full-time students on April 12, 2010, with an anticipated graduation date of May 13, 2011, to **replace** students scheduled to graduate March 5, 2010.

The Executive Officer approved the program's admission of 15 full – time students on November 16, 2009 only, with an anticipated graduation date of December 17, 2010, to **replace** students who graduated October 16, 2009. Additionally, the Executive Officer approved the program's admission of 15 full – time students on April 12, 2010 only, with an anticipated graduation date of May 13, 2011, to **replace** students scheduled to graduate March 5, 2010.

- On August 10, 2010, the Board received program correspondence documenting the effect of the submitted plan to improve program pass rates. Additionally, the director advised that the scheduled November 16, 2009 commencement of a full – time class of 15 students had been delayed to April 12, 2010. The scheduled April 12, 2010 commencement of a full – time class of 15 students will be delayed to October 18, 2010.

## **Enrollment**

The program offers a full – time course of instruction that is 52 weeks in length and a part - time course of instruction that is 72 weeks in length. Currently, the program must have Board approval prior to the admission of full – time and part – time classes.

The following table represents **current and projected** student enrollment based on class starts and completions. The table indicates a **maximum enrollment of 31 students** for the period from **February 2009 through November 2011**.

ENROLLMENT DATA				
CLASS DATES		#Students Admitted	#Students Current or Completed	Total Enrolled
Start	Completed			
2/09 (FT)		8	7	7
12/09 (PT)		8	8	7 + 8 = 15
	3/10 (2/09 FT Class)		-7	15 - 7 = 8
4/10 (FT)		8		8 + 8 = 16
10/10 (FT) (Projected)		15		16 + 15 = 31
	5/11 (4/10 FT Class)		- 8	31 - 8 = 23
	7/11 (12/09 PT Class)		-8	23 - 8 = 15
	11/11 (10/10 FT Projected Class)		-15	15 - 15 = 0

### Licensing Examination Statistics

The following statistics, furnished by the 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 April 2008 through June 2010, specify the pass percentage rates for graduates of Medical Allied Career Center, Santa Fe Springs, Vocational Nursing Program on the National Council Licensure Examination for Practical (Vocational) Nurses (NCLEX-PN®).

NCLEX-PN® Licensure Examination Data						
Quarterly Statistics					Annual Statistics*	
Quarter	# Candidates	# Passed	% Passed	State Quarterly Pass Rate	Program Average Annual Pass Rate	State Average Annual Pass Rate
Apr – Jun 2008	1	0	0%	0%	67%	75%
Jul – Sep 2008	3	0	0%	70%	33%	74%
Oct – Dec 2008	No Candidates Tested			73%	33%	73%
Jan – Mar 2009	No Candidates Tested			70%	0%	72%
Apr – Jun 2009	5	1	20%	71%	13%	70%
Jul – Sep 2009	3	1	33%	74%	25%	72%
Oct – Dec 2009	3	2	67%	76%	36%	73%
Jan – Mar 2010	2	0	0%	76%	31%	74%
Apr – Jun 2010	1	1	100%	74%	44%	75%

\*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.

Based on the most current data available (April – June 2010), the program's average annual pass rate is 44%. The California average annual pass rate for graduates from

accredited vocational nursing programs who took the NCLEX-PN® for the first time is 75%. The average annual pass rate for Medical Allied Career College, Vocational Nursing Program is 31 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 Board - approved faculty is five (5), including the program director. The director has 75% administrative duties and 25% teaching duties. Of the total faculty, five (5) are approved to teach in the clinical area.

For a maximum enrollment of 31 students, three (3) instructors are needed. Therefore, the number of current faculty is adequate for the current and proposed enrollment.

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."

The program has clinical facilities that are adequate as to type and variety of patients treated to enable current and proposed students to meet clinical objectives, in accordance with Section 2534 (b) of the Vocational Nursing Rules and Regulations. This information has been verified by the consultant.

### **Other Considerations**

Over the last eight (8) consecutive quarters (July 2008 – June 2010), the program's average annual pass rates have been more than ten (10) percentage points below the state average annual pass rate. On September 17, 2009, the Board received the director's plan to improve program pass rates. As presented, the following interventions were implemented August 2009:

- **Revised Graduation Criteria.** The program revised its graduation policy to include mandatory attendance of all students in review classes prior to graduation.
- **Developed Review Class.** The program developed a comprehensive review class to prepare students for the licensure examination.
- **Revised the Criteria for Assessment Tests.** The program now requires students to achieve Level 2 or higher on the proctored ATI exit examination and a score of 850 on the HESI comprehensive examination prior to graduation.

In addition, the director states, "Students are encouraged to register for the LVN State Board Exam as soon as possible post graduation, while their lecture and clinical experiences are still fresh in their minds." Further, the director states, "due to small enrollment in our program. We do not have candidates sitting for the LVN board exam each quarter and therefore the school receives a zero for that quarter which is beyond our control."

On August 10, 2010, the Board received correspondence documenting the effects of program actions taken to improve pass rate performance. As specified therein, the director stated that program pass rates improved as a result of interventions employed in August 2009. (See Attachment A)

Based on the previous program performance statistics, the following violation is identified.

**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 accredited vocational nursing schools for the same period.**

**(1) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."**

**Violation:** The program's average annual pass rate has been more than ten percentage points below the state average annual pass rate for eight (8) consecutive quarters.

**Plan of Correction:** This violation is **not corrected**. The violation will be corrected when the program's pass rates improve and are consistent with regulatory requirements.

In summary, over the past nine (9) quarters, 17 program graduates have tested. Of the total tested, five (5) program graduates have passed the licensure examination. While the program has implemented interventions to improve the performance of program graduates, the program's pass rates continue substantially lower than the state average pass rate.

From July – September 2009 and April – June 2010 the program's average annual pass rate improved from 25% to 44%. For the most recent quarter, the program's average annual pass rate was 44%. The California average annual pass rate for graduates from accredited vocational nursing programs who took the NCLEX-PN® for the first time is 75%. As such the Medical Allied Career College, Vocational Nursing Program's average annual pass rate is 31 percentage points below the state average annual pass rate for first time candidates.

**Recommendations:**

1. Place Medical Allied Career College, Sante Fe Springs, Vocational Nursing Program on provisional accreditation for the two-year period from September 16, 2010, through September 30, 2012, and issue a notice to the program to identify

specific areas of non compliance and requirements for correction as referenced in Section 2526.1 (e) of the California Code of Regulations (see Attachment B).

2. Require the program to submit a follow-up report in 10 and 22 months but no later than July 1, 2011. 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. 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.
3. Place the program on the September 2012 Board agenda for reconsideration of provisional accreditation.
4. Require the program to comply with all accreditation 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.
5. Require the program to admit no additional students unless approved by the Board.

**Rationale:** The Board has serious concerns relative to the program's non-compliance with regulations relative to pass rate on the NCLEX-PN<sup>®</sup> for the last eight (8) quarters.

As noted previously, during the last nine (9) consecutive quarters, the program has had 17 candidates take the licensure examination; only five (5) program graduates passed. The program's pass rates have remained significantly **below** the state average annual pass rate. For the most current period, the program's average annual pass rate is 44%. As such, the program's average annual pass rate is 31 percentage points below the state average annual pass rate of first time candidates.



# MEDICAL ALLIED



Career Center, Inc.

12631 E. Imperial Hwy. Bldg. D-Ste. 108

Santa Fe Springs, CA 90670

Phone: (562) 807-2420\*Fax: (562) 807-2421

ATTACHMENT A

August 9, 2010

Pam Hinckley, RN, MSN  
Nursing Education Consultant  
Board of Vocational Nursing and Psychiatric Technicians  
2535 Capitol Oaks Drive, Suite 205  
Sacramento, CA 95833

Dear Ms. Hinckley:

This is in response to your letter dated August 5, 2010, regarding BVNPT's consideration for placement of Medical Allied Career Center, Inc. on Provisional Consideration at it's September 2010 Board meeting.

In connection with this, we are submitting the following information as requested:

1. Current and projected enrollment (please see attached enrollment table).
2. List of current faculty below:
  - a. Phillip Miller, RN
  - b. Elizabeth D. Gerber, RN
  - c. Joan Thompson, RN
  - d. Salvacion Agnes Licican, RN
  - e. Beth Berasley, LVN
3. List of current clinical facilities to which students are assigned:
  - a. Los Angeles Community Hospital of Los Angeles
  - b. Los Angeles Community Hospital of Norwalk
  - c. Bellflower Medical Center
  - d. Vista Hospital of San Gabriel Valley
4. Effect of actions taken to improve student achievement and the pass rate performance of program graduates.

We had stated in our letter dated September 8, 2009 (response to BVNPT's letter dated August 19, 2009) that we changed our graduation policy effective August 2009. The policy states that: "Students must return to the school two weeks after the completion of the program for NCLEX review classes and to do practice test

for ATI. Students must achieve at least Level II or higher on the ATI proctored exit exam before they are allowed to graduate." In addition to this policy, students must achieve a score of 850 or more on the HESI exit exam before their application for the NCLEX-PN will be turned in to the BVNPT.

This policy was implemented to our August 2009 graduates even before the effectivity date of said policy. Our pass rate increased as seen on the result of the licensure exam of our August 2009 graduates.

We know that our pass rate for the past eight (8) quarters has been more than ten (10) percentage points below the state annual average pass rate even though we got 100% pass rate for our August 2009 graduates. The reason for this is that MACC did not fully implement the policy of achieving at least Level II or higher on the ATI proctored exit exam for our 2007 and 2008 groups and also we turned in their NCLEX licensure applications even without taking the HESI exit exam.

As for our new graduates (03/2010), we see to it that they achieve a score of 850 or more before we turn in their NCLEX licensure application, and for our on-going full time and part time vocational nursing students, we see to it that they pass the proctored ATI tests and their quizzes are taken from the test banks and NCLEX reviewers.

Hoping for your kind consideration.

Respectfully yours,

Phillip Miller, RN  
Director - MACC



## ATTACHMENT B

September XX, 2010

Phillip Miller, Director  
Vocational Nursing Program  
Medical Allied Career Center  
12631 E. Imperial Hwy. Bldg. D-108  
Santa Fe Springs, CA 90670

**Subject: Notice of Change in Accreditation Status**

Dear Mr. Miller:

Pursuant to the action of the Board of Vocational Nursing and Psychiatric Technicians (Board) on September 16, 2010, the status of the Medical Allied Career College Vocational Nursing Program has been changed from full accreditation to provisional accreditation for the one – year period from September 16, 2010, through September 30, 2011. Please sign and return the enclosed "Acknowledgement of Change in Accreditation Status" form by **Wednesday, October 1, 2010**.

### **AREAS OF NON-COMPLIANCE [VIOLATION(S)]**

In accordance with Section 2526.1(c) of title 16 of the California Code of Regulations,

"The Board may place any program on provisional accreditation when that program does not meet all requirements as set forth in this chapter and in Section 2526..."

Section 2530(l) of title 16 of the California Code of Regulations 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 accredited vocational nursing schools for the same period.

...

- (l) Failure to maintain the required yearly average minimum pass rate for two years or eight consecutive quarters may be cause to place a program on provisional accreditation."

The program pass rates of the Medical Allied Career College Vocational Nursing Program for the past nine (9) quarters are set forth in the following table.

Quarter	State Annual Average Pass Rate	Program Annual Average Pass Rate
Apr – Jun 2008	75%	67%
Jul - Sep 2008	74%	33%
Oct - Dec 2008	73%	33%
Jan – Mar 2009	72%	0%
Apr – Jun 2009	70%	13%
Jul - Sep 2009	72%	25%
Oct – Dec 2009	73%	36%
Jan – Mar 2010	74%	31%
Apr – Jun 2010	74%	44%

Based on this data, the program failed to meet the annual average pass rate requirement.

### **REQUIRED CORRECTION(S)**

1. The Medical Allied Career College Vocational Nursing Program must bring its licensure examination annual average pass rate to no more than ten (10) percentage points below the State annual average pass rate for four (4) consecutive quarters.
2. Require the program to submit a follow-up report in 10 and 22 months but no later than July 1, 2011. 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. 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.
3. Place the program on the September 2012 Board agenda for reconsideration of provisional accreditation.

4. Require the program to comply with all accreditation 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.
5. Require the program to admit no additional students unless approved by the Board.

Failure to take these corrective actions may cause the Board to revoke the program's accreditation. In the event additional violations of the accreditation standards are identified, such violations may result in further corrective action or revocation of provisional accreditation.

#### **FUTURE BOARD ACTION**

Your program will be placed on the **September 2012** Board Meeting agenda for reconsideration of your accreditation status. The nursing education consultant assigned to your program will ask you to submit documentation of the correction of your violation(s) by the fifteenth day of the second month prior to that Board meeting.

#### **OTHER IMPORTANT INFORMATION**

Please be advised that, pursuant to the Board's regulations, the program will not be authorized to admit new classes beyond the established pattern of admissions previously approved by the Board. The established pattern of admissions approved by the Board is as follows: Prior Board approval is required to admit classes.

In the event your program is required to submit any report(s) as a corrective action pursuant to this notice, such reports are required in addition to any other reports required pursuant to 2527 of the Board's regulations.

The program may no longer advertise that it has full accreditation, and should take steps to correct any ongoing advertisements or publications in that regard.

A copy of title 16, California Code of Regulations, section 2526.1, regarding provisional accreditation is attached for your reference. A complete copy of the Board's laws and regulations can be found on the Board's web site at [www.bvnpt.ca.gov](http://www.bvnpt.ca.gov).

Notice of Change in Accreditation Status  
September XX, 2010  
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Should you have questions, please do not hesitate to contact the Board.

Sincerely,

**TERESA BELLO-JONES, J.D., M.S.N., R.N.**  
Executive Officer

ph

Enclosure

cc: Board Members