

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF MOHAVE
COMMUNITY COLLEGE PRACTICAL
NURSING PROGRAM APPROVAL
US96105500

ISSUED TO:

MOHAVE COMMUNITY COLLEGE
1801 DETROIT AVENUE, KINGMAN, AZ
86401

RESPONDENT

DECREE OF CENSURE

**CONSENT AGREEMENT
AND ORDER NO. 170402PN96105500**

The Arizona State Board of Nursing (“Board”) received allegations that Mohave Community College (“Respondent”) violated the Nurse Practice Act. In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued practical nursing program approval US96105500.
2. The program entered into a consent agreement #170402PN96105500, effective September 27, 2017 for a minimum 24 months probation, for failing to evaluate faculty member annually, for curriculum that included excessive objectives, making it impossible for students to achieve outcomes and providing course content that did not build on the previous content, failed to develop and implement a written plan for the systematic evaluation of the total program and incorporate continuous improvement based on

evaluative data, NCLEX pass rates were 66% for the 2016 school year, failed to follow its own policy regarding substance use screens for faculty members.

3. Between 9/2017 - 9/2019, Respondent failed to comply with the September 2017 Consent Agreement 170402PN96105500, Term of Probation #7, Obey All Laws, by violating R4-19-201-(I) (1-10), R4-19-211 (1,2,4,12), R4-19-201(G); see below.
4. Between 9/2017 - 9/2019, Respondent failed to implement written policies and procedures that provide a mechanism for student input into the development of academic policies and procedures and allow students to anonymously evaluate faculty, nursing courses, clinical experiences, resources, and the overall program. Specifically, Respondent has no policies that meet rule requirements for R4-19-201(G), because students have not been included in program meetings, and Respondent has not provided any student evaluations during this time period.

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663 and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663 (D) as defined in § 32-1601(22/24)

(d) Any conduct or practice that is or might be harmful or dangerous to the health of a patient or the public, and (j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter (effective August 9, 2017), and R4-19-201-(I) (1-10), R4-19-201(G), R4-19-211 (1,2,4,12)

R4-19-201-(I) (1-10) (G) Organization and Administration

I. A nursing program shall develop and implement a written plan for the systematic evaluation of the total program that is based on program and student learning outcomes and that incorporates continuous improvement based on the evaluative data. The plan shall include measurable outcome criteria, logical methodology, frequency of evaluation, assignment of responsibility, actual outcomes and actions taken. The following areas shall be evaluated:

1. Internal structure of the program, its relationship to the parent institution, and compatibility of program policies and procedures with those of the parent institution;
2. Mission and goals;
3. Curriculum;
4. Education facilities, resources, and student support services;
5. Clinical resources;
6. Student achievement of program educational outcomes;
7. Graduation and attrition for each admission cohort including at a minimum:
 - a. Number and percent of students who left the program;
 - b. Number and percent of students who are out of sequence in the program; and
 - c. Number and percent of students who graduated within 100%, 150% or greater than 150% of time allotted in the curriculum plan.
8. Graduate performance on the licensing examination;
9. Faculty performance; and
10. Protection of patient safety including but not limited to:

- a. Student and faculty policies regarding supervision of students, practicing within scope and student safe practice;
- b. The integration of safety concepts within the curriculum;
- c. The application of safety concepts in the clinical setting; and
- d. Policies made under R4-19-203(C)(6).

G. A nursing program shall implement written policies and procedures that provide a mechanism for student input into the development of academic policies and procedures and allow students to anonymously evaluate faculty, nursing courses, clinical experiences, resources and the overall program.

R4-19-211 (1,2,4,12) Unprofessional Conduct in a Nursing Program

A disciplinary action, denial of approval, or notice of deficiency may be issued against a nursing or refresher program for any of the following acts of unprofessional conduct in a nursing program:

1. Failure to maintain minimum standards of acceptable and prevailing educational or nursing practice;
2. Deficiencies in compliance with the provisions of this Article;
3. Utilization of students to meet staffing needs in health care facilities;
4. Non-compliance with the program's or parent institution's mission or goals, program design, objectives, or policies;
12. Any other evidence that gives the Board reasonable cause to believe the program's conduct may be a threat to the safety and well-being of students, faculty, patients or potential patients.

The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(O) to revoke, suspend or take other disciplinary action against Respondent's program approval to conduct a practical nursing program in the State of Arizona.

However, in lieu of a hearing, Respondent agrees to issuance of the following Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter. Respondent further waives any and all claims or causes of action, whether known or unknown, that Respondent may have against the State of Arizona, the Board, its members, officers, employees and/or agents arising out of this matter.

Respondent admits to the Board's Findings of Fact and Conclusions of Law.

Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has been either obtained or is waived.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board or its designee and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the Agreement cannot be withdrawn without the Board's approval or by stipulation between Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by Respondent and accepted by the Board or its designee.

ORDER

In view of the above the Findings of Fact, Conclusions of Law, and the consent of Respondent, the Board hereby issues the following Order:

- A. Respondent's consent to the terms and conditions of this Order and waiver of hearing is accepted.
- B. It is ordered that a DECREE OF CENSURE be entered against program approval no. US96105500, held by Respondent.

Board Date: January 24th, 2020

ARIZONA STATE BOARD OF NURSING



Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Acceptance Date: 3/25/2020

JR/HH:ll

COPY emailed this 23rd day of March, 2020 via secure email to:

MOHAVE COMMUNITY COLLEGE - PN PROGRAM

June Weiss, MSN, RN

1801 Detroit Avenue

Kingman, AZ 86401

jweiss@mohave.edu

By: Lyn Ledbetter

Administrative Assistant

Duly signed COPY emailed this 1st day of April, 2020 to:

MOHAVE COMMUNITY COLLEGE - PN PROGRAM

June Weiss, MSN, RN

jweiss@mohave.edu

By: Lyn Ledbetter

Administrative Assistant