

**BEFORE THE ARIZONA STATE BOARD OF NURSING**

IN THE MATTER OF MOHAVE COMMUNITY  
COLLEGE REGISTERED NURSING PROGRAM

ISSUED TO:

MOHAVE COMMUNITY COLLEGE  
1801 DETROIT AVENUE  
KINGMAN, AZ 86401  
RESPONDENT

**CONSENT AGREEMENT  
AND  
ORDER NO. 230101US96408700  
230102US96408700  
230103US96408700**

The Arizona State Board of Nursing (“Board”) and MOHAVE COMMUNITY COLLEGE REGISTERED NURSING PROGRAM “Respondent”) seek to resolve allegations that 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 program approval for a Registered Nursing program, operating in Kingman, Arizona, receiving its original approval in 2011. Respondent’s last program approval was on March 27, 2017.

2. The Mohave Community College (MCC) ADN NCLEX- RN first time pass rate for calendar year 2022 is below 80% as required in R4-19-206(G). Specifically, according to the 2022 4th quarter NCLEX Reports, its annual pass rate for 2022 was 74.78%. On January 21, 2023, the Board received a complaint from a Complainant who provided her contact information to the Board but requested anonymity. Complainant #1 alleged that MCC ADN Program Faculty were overloaded and that the program was understaffed. Between February 28, 2023 and March 2nd, 2023, the Board received 5 emails from students, (3 of whom requested to be anonymous), from MCC ADN program alleging that they were required to purchase Lippincott testing materials, prior

to their acceptance into the nursing program, but later were unable to use the materials and then were later required to purchase an additional testing program, (ATI). (This complaint was not substantiated). Based upon this information, the Board conducted an investigation.

3. On August 15, 2022, Respondent's consent agreement with the Board, Order #220204US96408700, became effective for a 36 month probation for 2021 first time NCLEX pass rates of 65.77% and failing to follow program testing policy by allowing students who were remote from the campus to engage in collaborative testing.

4. The Mohave Community College ADN NCLEX- RN first time pass rate for calendar year 2022 is below 80% as required in R4-19-206(G). Specifically, according to the 2022 4th quarter NCLEX Reports, its annual pass rate for 2022 was 74.78%.

5. Per consent agreement and order number 220204US96408700, quarterly reports were included as a term of probation. As of September 11, 2023, Board staff has not received the 2023 second quarter report as per the consent agreement.

### **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 currently cited as § 32-1601 (27) "Unprofessional conduct" includes the following whether occurring in this state or elsewhere: (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 currently cited as A.A.C. R4-19-206 (G) A nursing program shall maintain at least a 80% NCLEX passing rate for graduates thinking the NCLEX-PN or NCLEX-RN for the first time within 12 months of graduation; and currently cited as A.A.C. R4-19-211 Unprofessional Conduct in a Nursing Program; Reinstatement or Reissuance (A) A disciplinary action, or denial of approval, may be issued against a nursing, refresher, pilot, or distance learning program for any of

the following acts of unprofessional conduct: 8. Failure to comply with Board requirements within designated time-frames (effective June 3, 2019).

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. Respondent acknowledges and agrees that the acceptance of this Consent Agreement is solely to settle this Board matter and does not preclude the Board from instituting other proceedings as may be appropriate now or in the future.

Furthermore, and notwithstanding any language in this Consent Agreement, this Consent Agreement does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondent, including but not limited to, violations of Arizona's Consumer Fraud Act. Respondent

acknowledges that, other than with respect to the Board, this Consent Agreement makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondent.

Kerrie Hess, MSN RN

Kerrie Hess, MSN RN (Nov 9, 2023 15:58 MST)

Signature of Approved Respondent Representative  
MOHAVE COMMUNITY COLLEGE

Nov 9, 2023

Date

Kerrie Hess, Director of Nursing Programs

Print the signer's name AND title

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

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

ARIZONA STATE BOARD OF NURSING

Dated: 11/13/2023

**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. US96408700, held by Respondent.

Board Date: September 22, 2023

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

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

ARIZONA STATE BOARD OF NURSING

Dated: 11/13/2023

JR/SB:sb



Transmitted this day October 26, 2023, via Adobe Sign to:

Kerrie Hess, Mohave Community College Registered Nursing Program khess@mohave.edu  
Also sent via US Mail and US Certified Mail (7021179000091216235) to:

MOHAVE COMMUNITY COLLEGE  
1801 Detroit Ave.  
Kingman AZ,86401

By: Sarah Burton  
Administrative Assistant III

**Signature:** *Sarah Burton*  
Sarah Burton (Nov 13, 2023 07:35 MST)

**Email:** sburton@azbn.gov