

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF ACADEMY ON-DEMAND
- PHOENIX NURSING ASSISTANT PROGRAM
NO. NA3031

ISSUED TO:

ACADEMY ON-DEMAND - PHOENIX
1530 N COUNTRY CLUB DR. STE 10
MESA, AZ 85201

“RESPONDENT”

**CONSENT AGREEMENT
AND
ORDER NO. 250101NA3031
FOR DECREE OF CENSURE**

The Arizona State Board of Nursing (“Board”) and Academy On-Demand - Phoenix Nursing Assistant Program (“Respondent”) seek to resolve allegations that Respondent violated the Nurse Practice Act, Arizona Revised Statutes (“A.R.S.”) §§ 32-1601 – 1667, Arizona Administrative Code (“A.A.C.”) Rules 4-19-101 – 81. 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 Academy On-Demand - Phoenix Nursing Assistant Program, operating in Mesa, Arizona, receiving its original approval in 2022. Respondent’s last program approval was on February 26, 2025.

2. Respondent’s first time student pass rate on the State of Arizona mandated written certifying examination was below the minimum requirement as required in A.A.C. R4-19-801(E) in 2024. Based upon this information, the Board initiated an investigation.

3. Respondent's Nursing Assistant ("NA") program's 2024 first time student pass rate on the written certifying examination was below the minimum requirement as required in R4-19-801(E). Specifically according to D&S Diversified Technologies, the approved test vendor, Respondent's annual pass rate for the written exam in 2024 was 33.33%. The Arizona state average for the 2024 calendar year was 81.98% for written and 84.51% for the manual skills exam. Pursuant to R4-19-801(E), programs falling below the standard are those with less than 61.98% on the written exam and 61.51% on skills. The program tested 9 students in 2024. In 2023, Respondent also fell below the state minimums on the skills test with a pass rate of 50% because the state minimum was 59%. In 2023, Respondent tested 14 students.

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. § 32-1601(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; (g) Wilfully or repeatedly violating a provision of this chapter or a rule adopted pursuant to this chapter; (j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter; and A.A.C. R4-19-801(E) Certifying Exam Passing Standard: A training program and each site of a consolidated program under R4-19-802(E) shall attain, at a minimum, an annual first-time passing rate on the manual skill and written certifying examinations that is equal to the Arizona average pass rate for all candidates on each examination minus 20 percentage points. The Board may waive this requirement for programs with less than five students taking the exam during the year. The Board shall issue a notice of deficiency under A.A.C. R4-19-805 to any program with five or more students taking the exam that fails to achieve the minimum passing standard in any calendar year.

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.



Laura Oldaker

Laura Oldaker (May 27, 2025 14:08 PDT)

Signature or Approved Respondent Representative
ACADEMY ON-DEMAND - PHOENIX

05/27/2025

Date

Laura Oldaker, Program Administrator

Print the signer's name AND title

Joey Ridenour Rn Mn Faan

Executive Director

ARIZONA STATE BOARD OF NURSING

Dated: 05/27/2025

JR/CG/sb

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:

1. Respondent's consent to the terms and conditions of this Order and waiver of hearing is accepted.
2. It is ordered that a DECREE OF CENSURE be entered against program approval no.3031, held by Respondent.

Board Date: May 23, 2025

Joey Ridenour Rn Mn Faan

Executive Director
ARIZONA STATE BOARD OF NURSING

Dated: 05/27/2025

JR/CG:sb

Transmitted this 8th day of May via Adobe Sign to:
laura@academyon-demand.com
programcoordinator@academyon-demand.com

Also sent via US Mail to:

ACADEMY ON-DEMAND - PHOENIX
1530 N COUNTRY CLUB DR. STE 10
MESA, AZ 85201

By: Sarah Burton
Administrative Assistant III

Fully Executed copy sent this 27th day of May, via
Adobe Sign to: laura@academyon-demand.com
programcoordinator@academyon-demand.com

Also sent via US Mail:

ACADEMY ON-DEMAND - PHOENIX
1530 N COUNTRY CLUB DR. STE 10
MESA, AZ 85201

By: Sarah Burton
Administrative Assistant III

Signature: *Sarah Burton*
Sarah Burton (May 27, 2025 14:10 PDT)

Email: sburton@azbn.gov