

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF RUSH UNIVERSITY
COLLEGE OF NURSING NEONATAL
ADVANCE PRACTICE REGISTERED
NURSING PROGRAM

**RUSH UNIVERSITY COLLEGE OF
NURSING,**

APPLICANT

**CONSENT AGREEMENT
AND
ORDER NO. 251101APDL0006**

CONSENT AGREEMENT

The Arizona State Board of Nursing (“Board”) and Rush University College of Nursing Neonatal Nurse Practitioner Program (“Applicant”) seek to resolve allegations that Applicant 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. On or about October 28, 2025, the Board received an application from Rush University College of Nursing (hereafter “Rush CON”) to renew their neonatal nurse practitioner program. After review of their application, it was found that from initial program approval in 2018, the NNP program administrator, lead faculty, and clinical nursing faculty did not have a AZBN issued RN license or APRN certificate. Based on this information the Board opened an investigation.

2. Beginning in September of 2022, Rush University College of Nursing began offering a Neonatal Nurse Practitioner program without the lead faculty holding a current unencumbered RN license or multistate privilege to practice in Arizona and a current unencumbered APRN certificate issued by the Board of Nursing, and nursing faculty who taught

courses with a clinical learning experiences did not hold a current unencumbered RN license or multistate privilege to practice in Arizona and a current unencumbered APRN certificate issued by the Board of Nursing. In September 2022, the program had two students enrolled into the DNP neonatal nurse practitioner specialty. In September 2024, the program admitted one student into the DNP neonatal nurse practitioner specialty.

Per R4-19-502(B)(1)(2)(3) Requirements for Advanced Practice Registered Nurse (APRN) Programs. Lead faculty and clinical faculty for APRN students in Arizona are to hold an unencumbered RN license or privilege to practice in Arizona and a current unencumbered APRN certificate issued by the Board.

The program violated R4-19-502(B)(1)(2)(3) by allowing APRN personnel who did not hold a current unencumbered RN license or privilege to practice in Arizona and a current unencumbered APRN certificate issued by the Board.

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 paragraphs above constitute sufficient cause to deny Applicant licensure as an advanced practice nurse pursuant to A.R.S. § 32-1663 (A) as defined in and currently cited as 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, and (j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter (effective September 29, 2021); and currently cited as A.A.C. R4-19-504 (1) Notice of Deficiency: Unprofessional Program Conduct (D) A disciplinary action, denial of approval, or notice of deficiency may be issued against an RNP or CNS nursing program for any of the following acts of unprofessional conduct: (8) Failure to comply with Board requirements within designated time-frames; However, in lieu of a hearing on these issues, Applicant admits to the Board's Findings of Fact and Conclusions of Law and

agrees to the issuance of the following Order and irrevocably waives all rights to a hearing, rehearing, appeal, or judicial review relating to the Findings of Fact, Conclusions of Law, and Order.

Applicant further waives any and all claims or causes of action, whether known or unknown, that Applicant may have against the State of Arizona, the Board, its members, officers, employees and/or agents arising out of this matter.

Applicant understands that the Findings of Fact, Conclusions of Law and Order are conclusive evidence of a prior violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter. Applicant further understands that disciplinary actions are generally available to the public pursuant to public records requests; are posted on or available through the Board's website; and are reported to and are posted by national databases, which may be accessed online and whose retention and posting times are independently determined by the applicable national organization; and any of these policies or applicable laws may change over time.

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

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

Applicant 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 Applicant, including but not limited to, violations of Arizona's Consumer Fraud Act. Applicant 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 Applicant.

Board Date: May 29, 2026

Sarah L. Livesay

Sarah L. Livesay (Jun 5, 2026 11:05:16 PDT)

Rush University College of Nursing, Applicant

Dated: 06/05/2026

Greg Lindenow R.N. M.A. J.D.

Executive Director

ARIZONA STATE BOARD OF NURSING

Acceptance Date: 06/23/2026

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provisions and penalties imposed as follows:

A. Applicant's consent to the terms and conditions of the Order and waiver of public hearing are accepted.

B. Upon acceptance by the Board and the Applicant of this consent agreement as evidenced by their respective signatures on this Consent Agreement and *prior* to granting advanced practice certification, the same is assessed a Civil Penalty in the amount of **One Thousand dollars**

(\$1,000.00). Applicant shall pay the Civil Penalty, in full, via **Arizona State Board of Nursing Online Payment System at azbn.gov** and select the **Online Payment System**, before the advanced practice certificate is granted.

C. If Applicant fails to pay the Civil Penalty, in full, in the amount of \$1,000.00

1. Applicant shall pay the Civil Penalty, in full, no later than July 3, 2026 via the Board's Online Payment System.

2. If Applicant fails to timely pay the Civil Penalty, in the manner stated in paragraph C. (1.), above, Applicant's nursing program application shall be DENIED, and the Applicant may not reapply for approval for a period of (2) years.

D. Applicant waives any and all rights to a hearing, rehearing or judicial review of any suspension or revocation imposed pursuant to this paragraph.

E. While this Order is in effect and/or Applicant's approval is subject to discipline, up to and including denial, Applicant is not eligible to renew any other expired approval previously held by Applicant without prior review and approval by the Board.

Board Date: May 29, 2026

Greg Kidenow R.N. M.N. J.A.A.N. _____

Executive Director

ARIZONA STATE BOARD OF NURSING

Dated: 06/23/2026

Acceptance Date: 06/23/2026

JR/SB:sb