

BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: PATRICK & HENRY COMMUNITY COLLEGE PRACTICAL NURSING
 EDUCATION PROGRAM**

Program Code: US28200000

Case Number: 218641

**REPORT AND RECOMMENDATION OF
EDUCATION SPECIAL CONFERENCE COMMITTEE**

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), the Education Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”) held an informal conference on May 3, 2022 in Henrico County, Virginia, to inquire into evidence that Patrick & Henry Community College Practical Nursing Education Program (“PHCC-PN”), may have violated certain laws and regulations governing the operation of a practical nursing education program in the Commonwealth of Virginia and to determine PHCC-PN’s approval status to operate a practical nursing education program.

PHCC-PN appeared at this proceeding and was represented by Noelle Shaw-Belle, Esquire.

Upon consideration of the evidence, the Committee makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated April 5, 2022, the Board sent a Notice of Informal Conference (“Notice”) to PHCC-PN indicating that an informal conference would be held on May 3, 2022. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.

Recommended Findings of Fact and Conclusions of Law

1. PHCC-PN was approved to operate a practical nursing education program in the Commonwealth of Virginia on March 2, 2006.

2. On February 9, 2021, PHCC-PN's program was placed on conditional approval after its pass rate for first-time test takers of the NCLEX-PN was below 80 percent for two calendar years.
3. In March 2021, PHCC-PN submitted an NCLEX improvement plan. Representatives of the Board of Nursing completed a NCLEX site visit on April 22, 2021 and May 4, 2021.
4. PHCC-PN violated 18 VAC 90-27-210(A) and (B) of the Regulations Governing the Practice of Nursing Education Programs in that its pass rate for first-time test takers of the NCLEX-PN was below 80 percent for the past three calendar years, as follows:
 - a. In 2019, the pass rate was 71.43%;
 - b. In 2020, the pass rate was 56.25%; and
 - c. In 2021, the pass rate was 75%.
5. At the informal conference, Amy Webster, Program Director, provided evidence that the program has implemented a number of improvements, including mapping the curriculum to the NCLEX and requiring an NCLEX review program
6. Ms. Webster testified that the program experienced high faculty turnover during the years in question, but the program is now fully staffed.
7. Ms. Webster testified that the pandemic negatively impacted clinical opportunities, especially in the areas of geriatrics and public health, but with the easing of pandemic restrictions, the clinical opportunities are now available again.
8. Ms. Webster testified that the program acquired funding from additional sources, which has provided the students with opportunities to participate in simulations that they had not been able to utilize previously.


Recommended Order

Based on the foregoing Findings of Fact and Conclusions of Law, the Education Special Conference Committee recommends that the Board issue an Order as follows

1. PHCC-PN is CONTINUED on CONDITIONAL APPROVAL subject to the following terms and condition:
 - a. The NCLEX passage rate for calendar year 2022 shall be 80 percent or higher.
 - b. PHCC-PN shall comply with the Board's laws and regulations for maintaining an approved practical nursing education program.
 - c. Within 60 days of the entry of this Order, PHCC-PN shall provide a copy of this Order to all current and prospective students and faculty members, publish this Order on its website, and provide certification of the completion of this term to the Board.
2. Any violation of the terms and conditions of this Order or any law or regulation affecting the operation of nursing education programs in the Commonwealth of Virginia may constitute grounds for the withdrawal of approval of PHCC-PN's program and an administrative proceeding may be convened to determine whether such approval shall be withdrawn.
3. Upon review of compliance with the terms and conditions of this Order, the Board will further consider PHCC-PN's approval status, which may require its appearance before a Committee of the Board. Upon receipt of evidence of PHCC-PN's full compliance with all terms and conditions of this Order, the Board, at its discretion, may waive PHCC-PN's appearance before the Committee and may conduct an administrative review of this matter to determine PHCC-PN's approval status to operate a practical nursing education program, unless there is a pending investigation or unresolved allegation involving a violation of law or regulation.

Reviewed and approved
Cynthia M. Swineford, R.N., MSN, CNE, Board Chair
Education Conference Special Committee

Certified True Copy

By  _____
Virginia Board of Nursing