

BEFORE THE VIRGINIA BOARD OF NURSING

**IN RE: PATRICK & HENRY COMMUNITY COLLEGE ASSOCIATE DEGREE
 NURSING PROGRAM
 Program Code: US28406900
 Case Number: 218642**

REPORT AND RECOMMENDATION OF AGENCY SUBORDINATE

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 Associate Degree Nursing Program (“PHCC-ADN”), may have violated certain laws and regulations governing the operation of an associate degree nursing education program in the Commonwealth of Virginia and to determine PHCC-ADN’s approval status to operate an associate degree nursing education program.

PHCC-ADN 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-ADN 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-ADN was approved to operate an associate degree nursing education program in the Commonwealth of Virginia on September 15, 1970.

2. On February 9, 2021, PHCC-ADN's program was placed on conditional approval after its pass rate for first-time test takers of the NCLEX-RN was below 80 percent for two calendar years.

3. In March 2021, PHCC-ADN submitted an NCLEX improvement plan. Representatives of the Board of Nursing completed a site visit on April 22, 2021 and May 4, 2021.

4. PHCC-ADN 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-RN was below 80 percent for the past three calendar years, as follows:

- a. In 2019, the pass rate was 71.11%;
- b. In 2020, the pass rate was 76.09%; and
- c. In 2021, the pass rate was 65.52%.

5. At the informal conference, Amy Webster, Program Director, provided evidence that the pandemic negatively impacted the program during the years in question because it significantly impacted the students' clinical experiences; the program experienced significant faculty upheaval during the years in question; and the program moved to a new concept-based curriculum. In order to deal with these obstacles, the program paused admissions to make improvements, reduced class sizes, and implemented a student success plan led by a retention specialist.

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-ADN is CONTINUED on CONDITIONAL APPROVAL subject to the following terms and conditions:
 - a. The Board will monitor PHCC-ADN's NCLEX passage rates for calendar years 2022 and 2023.

- b. PHCC-ADN shall be subject to a survey visit in 2024.
 - c. PHCC-ADN shall be responsible for payment of any fees associated with the survey visit.
 - d. Within 60 days of the entry of this Order, PHCC-ADN 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. PHCC-ADN shall comply with the Board's laws and regulations for maintaining an approved associate degree nursing education program.
 3. The Board will review the results of the 2024 PHCC-ADN survey visit and thereafter schedule an administrative proceeding for consideration of the findings of the survey visit, as well as the NCLEX passage rates for 2022 and 2023.
 4. 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-ADN's program and an administrative proceeding may be convened to determine whether such approval shall be withdrawn.

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

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By 
Virginia Board of Nursing