

**Consideration of Change of Approval Status from Full with Warning to Conditional  
 American Medical Institute in Houston, Texas  
 Vocational Nursing Education Program**

**Summary of Request:**

Consider a proposed change in the program approval status of American Medical Institute Vocational Nursing Education Program in Houston, Texas, based upon the review of the 2012 NCLEX-PN® examination pass rate, the 2012 Nursing Education Program Information Survey, and the program's compliance with Texas Board of Nursing Rule 214.

**HISTORICAL PERSPECTIVE:**

- The American Medical Institute (AMI) Vocational Nursing (VN) Education Program in Houston, Texas was approved by the Texas Board of Nursing (Board or BON) at the July 2007 quarterly meeting.
- The NCLEX-PN® examination pass rate for the first graduates who tested during 2009 is 88.89%.
- The program has not been able to achieve a pass rate above 80% since 2009, as noted in the following table:

Year	BON Approval Status	NCLEX-PN® Pass Rate	Number of First Time Candidates (Passed/Total)
2012	Full with Warning (April 2012 Board Meeting)	69.70%	23/33
2011	Full	50%	21/42
2010	Full	79.41%	27/34
2009	Initial (Full Approval July 2009 Board Meeting)	88.89%	8/9

- At the April 19-29, 2012 meeting, the members of the Board voted to change the approval status of the AMI VN Program from Full to Full with Warning based upon review of the 2011 NCLEX pass rate, the 2011 Nursing Education Program Information Survey (NEPIS), and the program's compliance with Board Rule 214.
- Also at the April 19-20, 2012 meeting, Board members voted to restrict the program from enrolling new students until a report of the April 17, 2012 survey visit could be considered at the July 2012 Board meeting.
- At the July 19-20, 2012 meeting, the members of the Board considered the report of the April 17, 2012 survey visit and voted to continue to restrict the enrollment of new students until a decision was reached by the Texas Workforce Commission (TWC) concerning renewal of the AMI Certificate of Approval and Board Staff had an opportunity to reevaluate the program's compliance with Board rules (See Attachment #1).
- Board staff members were notified in May 2012 that the TWC was withholding renewal of the Certificate of Approval for AMI that expired on May 11, 2012 due to multiple deficiencies identified during the survey visit. The certificate could be denied if the deficiencies were not addressed in a timely manner. The TWC approval was required for AMI to operate as an educational entity in the State of Texas.

- In August 2012, Dr. William Currey was hired as the AMI Campus President. Dr. Currey, a non-nurse, has communicated frequently with Board Staff in an effort to implement corrective measures. According to Dr. Currey, the school would be moving to a larger campus that could accommodate the number of enrolled students. In addition, Dr. Currey was interviewing prospective faculty members in order to expand the nursing faculty that was comprised of five (5) registered nurses and one (1) licensed vocational nurse in Fall 2012.

- According to 2012 NEPIS data collected in October 2012, the program of study was comprised of:

Didactic Hours:	574 hours
Clinical Hours:	
Computer Lab	0 hours
Skills Lab	144 hours
Simulation Lab	0 hours
Patient Care Clinical Situations	712 hours
Total Hours:	1430 hours

- Recent enrollment and graduation data are:

Cohort Admission	Enrollment	Graduates	Graduation Date
November 2011	27	26 (1 dropped)	November 15, 2012
April 2012	40	38 anticipated	April 15, 2013

- AMI moved to the new campus at 6902 Cook Road, Houston, Texas on January 12-13, 2013.
- The TWC issued AMI a Certificate of Approval on February 5, 2013.
- In March 2013, the faculty included a lead instructor, Sylvia Woods, BSN, RN who is enrolled in an MSN program of study at The University of Texas, and six (6) RN faculty members.
- A review of data provided to Board Staff on March 26, 2013 indicates that the following numbers of AMI graduates have not taken the NCLEX-PN® examination:

March 2010 - 2011	1 graduate
March 2011 - 12012	4 graduates
August 2011 - 2012	3 graduates
November 2011 - 2012 Cohort	12 graduates

**Rationale for Staff Recommendation:**

No students are currently enrolled in the AMI VN Program due to the restricted enrollment subsequent to Board action at the April 2012 and July 2012 quarterly meetings and the recent April 2013 graduation. However, provided data indicates that 20 graduates from previous cohorts have not yet taken the NCLEX and, potentially, 38 graduates from the most recent cohort could test in 2013. AMI has an opportunity to demonstrate NCLEX pass rates above 80% by working with the 58 graduates who have not taken the national licensure examination. Additionally, the Conditional Approval status would allow the program to review and revise curriculum, update clinical evaluation tools, revise the Total Program Evaluation plan, and develop a comprehensive remediation plan.

On April 2, 2013, Campus President Dr. William Currey provided a written response to Board Staff (See Attachment #2).

**Staff Recommendation:**

Based upon review of the 2012 NCLEX-PN examination pass rate, the 2012 Nursing Education Program Information Survey, and Board Rule 214, move to change the approval status of American Medical Institute in Houston, Texas Vocational Nursing Education Program from Full with Warning to Conditional Approval status. Further, move to impose the requirements as indicated in the attached order (See Attachment #3).

**Copy of the Board Report for the July 2013 Board Meeting  
Follow-up Report of Findings Related to Survey Visit  
American Medical Institute in Houston, Texas  
Vocational Nursing Education Program**

**Summary of Request:**

Consider the report of the unannounced survey visit to American Medical Institute based upon Texas Board of Nursing (Board) actions at the April 19-20, 2012 meeting (Attachment #1).

**Historical Perspective:**

<b>Year</b>	<b>Approval Status</b>	<b>NCLEX-PN® Pass Rate</b>	<b>Number of First-Time Candidates Who Tested (Passed/Total)</b>
2011	Full	50%	21/42
2010	Full	79.41%	27/34
2009	Initial	88.89%	8/9

- At the April 19-20, 2012 meeting, the members of the Board voted to change the approval status of the American Medical Institute (AMI) in Houston, Texas Vocational Nursing Education Program from Full to Full with Warning based upon the review of the 2011 NCLEX-PN pass rate, the 2010 Nursing Education Program Information Survey (NEPIS), and Board Rule 214.
- Subsequent to discussion at the April 19-20, 2012 meeting, Board members voted to restrict the program from admitting new students until a report of the April 17, 2012 survey visit could be considered at the July 2012 Board meeting.
- Current enrollment includes:
  - Level 1 Students - 40
  - Level 2 Students - 26
  - Level 3 Students - 18

**Rationale for Board Staff Recommendation:**

Board Staff have worked collaboratively with Texas Workforce Commission (TWC) representatives and have been informed that TWC is holding renewal of the Certificate of Approval for AMI due to multiple identified deficiencies. The certificate may be denied if the deficiencies are not addressed in a timely manner; therefore, Board Staff are reluctant to recommend enrollment of new students in a program that may not have TWC approval to operate.

**Staff Recommendation:**

Move to continue to restrict the enrollment of new students at the American Medical Institute in Houston, Texas Vocational Nursing Education Program.

**Copy of the Board Report for the July 2013 Board Meeting (cont.)**

**Survey Visit  
Summary Report**

<b>Name of Nursing Program:</b>	American Medical Institute Vocational Nursing Education Program Houston, Texas
<b>Nursing Program Director:</b>	Ify Emenaha, PharmD, RN
<b>Reason for Survey Visit:</b>	Unannounced Survey Visit with Texas Workforce Commission (TWC) staff due to receipt of multiple student complaints, beginning in January 2012, with the seriousness and complexity of the students' complaints continuing to escalate from January 2012 to April 2012
<b>Date of Survey Visit:</b>	April 17, 2012
<b>Survey Visitors:</b>	Mary Beth Thomas, PhD, RN Virginia D. Ayars, EdD, MS, RN Sharon Thomas, TWC Representative Ramona Malone, TWC Representative
<b>Texas Board of Nursing Approval Status:</b>	Full with Warning
<b>Date of Last BON Survey Visit:</b>	April 5, 2011
<b>Name of Accrediting/Licensing Agencies:</b>	Texas Workforce Commission
<b>Rationale for Unannounced Survey Visit:</b>	

Complaints from Multiple Students from January 2012 through April 2012 to the Board reported that:

- Two foreign medical graduates (FMGs) were teaching nursing courses. The FMGs were unable to answer fundamental course content questions and were not experienced educators. One FMG was teaching maternity nursing, while the other FMG was instructing Medical/Surgical Nursing and Mental Health Nursing. Further, it appeared that inappropriate relationships between the two male FMG faculty members and female students were developing. The FMGs condoned cheating during examinations and accepted bribes, specifically sex, money, and food, in exchange for passing grades. Students were encouraged to offer gifts to the FMGs.
- Dr. Ify Emenaha's son and daughter, both non-nurses, were teaching several classes, as well as monitoring the students during completion of standardized examinations.
- The physical facilities were inadequate in that Pastor Leo Emenaha's church, located in a strip shopping center next door to AMI, was utilized for classroom instruction and activities. However, at 12 noon everyday, the students were directed to leave the church so that religious services could be held.
- The Nursing Skills Laboratory lacked appropriate resources and equipment. Rather than receiving instruction concerning how to provide safe and competent clinical nursing care in the Skills Lab, the students were directed to watch nursing videos.
- Changes in grading policies occurred. Ten students, admitted in the March 2011 cohort, who completed all classroom and clinical requirements for graduation as described in the Student Handbook at the time of their admission to the program of study were not approved to graduate. Dr. Ify Emenaha, Program Director, required the students to retake all examinations in courses in which the students achieved an

examination score of less than 75%. A cumulative final course grade of 75% or greater if one test score was less than 75%. The change in policy and procedure was announced to the students one week before the anticipated graduation date of March 25, 2012.

- Dr. Emenaha was repeatedly informed of the students' concerns and implemented no corrective actions, but rather appeared dismissive and characterized the group as "unwilling learners".

### **Summary of Survey Visit:**

#### Prior to visit, Board staff:

Met TWC staff members Ms. Sharon Thomas and Ms. Ramona Malone at the Workforce Solutions Office, Houston, Texas, to conduct a pre-conference and review documents in preparation for the joint TWC/Board unannounced survey visit.

#### During the visit, Board staff:

- met with Program Director Dr. Emenaha to explain the purpose of the visit;
- interviewed faculty members, one registered nurse and two FMGs, as a group;
- interviewed faculty members individually;
- interviewed two cohorts of students;
- toured the classrooms, skills laboratory, and nursing offices;
- reviewed documents and files; and
- conducted a summary conference with Program Director Dr. Emenaha.

#### Pertinent Survey Findings:

##### Interview with Group of Faculty Members:

- The interview with the group of faculty members revealed an insufficient number of faculty members to accommodate the number of enrolled students. The RN lacked experience as a nurse educator. Neither FMG was qualified to teach nursing courses as directed in Board Rule 214.7(c).
- During the individual interviews with the male FMGs, each of the instructors denied that he exchanged grades for sex, money, or food.
- Dr. Ify Emenaha's daughter was on campus monitoring a nursing class.

##### Facilities, Resources and Services:

- Physical facilities were crowded and not adequate for the number of enrolled students. The church sanctuary connected to the school and students were observed in the church upon Board staff arrival.
- The Skills Laboratory was not clean, organized, or well maintained. No paper towels were present at the sink area, nor was a paper towel holder visible. No hot running water was available. Bed linens were unclean. Supplies and equipment were inappropriate for a vocational nursing education program.

##### Records:

- A review of documents revealed an apparent falsification in the currency of a clinical contract in that white-out was visible with a date written over the altered area.
- Student files did not contain documentation of a high school diploma issued by an accredited secondary school or equivalent educational credentials as established by the General Education Development Equivalency Test (GED).
- Signed acknowledgments of the Board Petition for Declaratory Process were not present in all student files.
- No central clinical calendar existed. When question about which facilities, clinical groups were in on the day of the survey visit, the Program Director did not know.

- No active Advisory Committee was in place.
- Documentation of Faculty Meeting Minutes were not complete.

Conclusion:

- A number of infractions of Board Rule 214 Vocational Nursing Education were substantiated. Board Staff are waiting to be informed of the outcome of the TWC investigation and the renewal or denial of the TWC Certificate of Approval.



**AMERICAN MEDICAL INSTITUTE INC.**  
BUILDING TOMORROW'S LEADERS TODAY.

April 02, 2013

Texas Board of Nursing  
Ms. Virginia Ayers  
333 Guadalupe Street  
Austin, TX 78701

Re: Response to Consideration of Change of Approval Status for AMI

Dear Dr. Ayers:

As you recommended, I am responding to your draft proposal to the Texas Board of Nursing, wherein you recommend that American Medical Institute's Approval Status be changed from Full with Warning to Conditional.

While I cannot take issue with the deficiencies noted in the report, because they were all valid at that point in time. However, I must point out that your proposal is based on the original deficiencies report issued by TWC and yourself as a result of an unannounced survey visit on April 17, 2012. Subsequent to said report, AMI has responded to all deficiencies noted in that survey report and all subsequent requests for response to deficiencies by TWC and yourself, acting on behalf of the Nursing Board.

AMI has moved into a new and much larger building, purchased new equipment, purchased new teaching aids and supplies, replaced instructors that were not qualified to teach with well qualified,

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dynamic classroom instructors, revised all policies and procedures, revised all catalogs and handbooks, held PAC meeting, have made refunds to students where applicable, instituted a staff development plan and an In-Service Training program for new instructors and posted an In-Service Calendar, updated enrollment agreements, revised admissions requirements, reviewed and corrected student files, revised attendance policies, the curriculum has been brought into compliance by adhering to the approved number of program hours and syllabi/lesson plans, have subscribed to Kaplan for NCLEX review-which has been incorporated into the students program.

Have also subscribed to Jones eGlobal Library for student and staff use, we have also revised our tuition and included a laptop and will pay for first-time NCLEX Test fees-provided the student takes the test within 60 days of graduation, and many other changes have taken place as well. The point that I am making is that AMI is not the school that was surveyed on April 17, 2012. AMI today is student centered and very much TWC and TX BON compliant.

I would like to invite you to come to Houston and visit the school, speak to the students, faculty and staff, and observe the changes that have been made over the past year. I think that you would be satisfied that AMI is on the right track. All the work that we have done is for naught if we are not given the opportunity to show that we can bring the first time NCLEX pass rate up to 80%. We will not be able to do this if we are to continue on Conditional Status. We currently have 58 students who have not taken the exam, 20 grads and 38 soon-to-be grads this month. When I work the math, I have to consider those 20 grads (6 cannot be located) 2 have said that they may or may not sit for the exam. They are not open to remediation and test prep. That leaves us with  $38 + 12 = 50$  students that will hopefully take the exam. My experience has taught me that not all students will pass and not all students will take the exam timely or not at all. As that number shrinks, so do our chances for achieving that Pass Rate of 80%. We can achieve an 80% Pass Rate if given the opportunity to enroll another cohort of students.

We are putting our house in order as quickly as possible, we realize that we have a high hill to climb, but we are determined to make AMI a school that turns out well trained graduates that will give testimony to the efforts of our labor, by their accomplishments.

Should you require additional information, or have questions, or recommendations; please advise.

Sincerely yours,



Dr. William Currey  
Campus Director/COO

**DRAFT**

April 22, 2013

Ify Emenaha, PharmD, RN, Director  
Vocational Nursing Education Program  
American Medical Institute  
6902 Cook Road  
Houston, TX 77072

Dear Dr. Emenaha:

At the April 18-19, 2013 meeting, the members of the Texas Board of Nursing discussed the approval status of the American Medical Institute Vocational Nursing Education Program based upon the 2012 NCLEX-PN® examination pass rate, review of the 2012 Nursing Education Program Information Survey, and Board Rule 214. Members of the Board wish to thank Attorney Jonathan Wu, Campus President Dr. William Currey, and you for being present at the meeting to answer questions.

Based upon the discussion and review of documents, it was the decision of the Board to change the approval status of the American Medical Institute Vocational Nursing Education Program from Full with Warning to Conditional Approval, and issue the requirements in the attached Board Order.

A requirement is a mandatory criterion based on program assessment directly related to the rule that must be addressed in the manner prescribed.

If you have any questions or if we may provide assistance, please contact Board Staff at 512-305-7660.

Sincerely,

Kathy Shipp, MSN, RN, FNP  
President of the Board

Virginia D. Ayars, EdD, MS, RN  
Nursing Consultant for Education

copy: Texas Workforce Commission  
Dr. William Currey, Campus President

## BEFORE THE TEXAS BOARD OF NURSING

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**In the Matter of:**  
American Medical Institute  
Vocational Nursing Education Program  
in Houston, Texas

### ORDER OF THE BOARD

A public meeting of the Texas Board of Nursing, hereinafter referred to as the Board, was held on April 18, 2013, 333 Guadalupe, Tower II, Room 225, Austin, Texas, to consider the approval status of the American Medical Institute Vocational Nursing Education Program in Houston, Texas, based upon the NCLEX-PN® examination pass rate for 2012, review of the 2012 Nursing Education Program Information Survey, and compliance with Rule 214 pursuant to Section 301.157, Texas Occupations Code and 22 Tex. Admin. Code Chapter 214.

Board members in attendance were: Verna Kathleen Shipp, MSN, RN, FNP; Nina Almasy, MSN, RN; Deborah Hughes Bell, CLU, ChFC; Patti Clapp, BA; Tamara Cowen, MN, RN; Sheri Denise Crosby, JD, SPHR; Marilyn J. Davis, RN, BSN, MPA; Richard Robert Gibbs, LVN; Josefina Lujan, PhD, RN; Kathy Leader-Horn, LVN; Mary LeBeck, MSN, RN; and Beverly Jean Nutall, LVN.

After review and due consideration of the filed materials, as well as presentation by representatives from American Medical Institute Vocational Nursing in Houston, Texas, and other interested parties, if any, the Board hereby CHANGES the approval status of the American Medical Institute Vocational Nursing Education Program from FULL WITH WARNING to CONDITIONAL and hereby issues the following conditions/requirements:

1. The program may not enroll students while on conditional approval status.
2. The program will remain on conditional approval status until the program demonstrates a pass rate for first-time candidates of at least 80% on the 2013 NCLEX-PN® examination. The NCLEX-PN® examination year is January 1, 2013 through December 31, 2013.
3. The program must demonstrate full compliance with Board Rule 214 prior to consideration of a change in approval status.

Entered this 18<sup>th</sup> day of April, 2013.

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Kathy Shipp, MSN, RN, FNP  
President of the Board