

**Consideration for 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 findings from the May 22, 2013 survey visit.

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 was 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

- On April 17, 2012, an unannounced survey visit to AMI was conducted by Virginia Ayars, EdD, MS, RN and Mary Beth Thomas, PhD, RN, accompanied by two representatives from the Texas Workforce Commission (TWC). The survey visit was made to investigate student complaints. TWC was also investigating the program to determine whether the program's license would be renewed or denied. Areas of noncompliance with Rule 214 identified by Board Staff during the visit included:
 - ▶ a lack of qualified nursing faculty;
 - ▶ crowded and inadequate physical facilities;
 - ▶ an inadequate and disorganized skills lab;
 - ▶ a questionable clinical contract; and
 - ▶ a lack of a clinical schedule for students.
- At the April 19-20, 2012 meeting, the members of the Board changed the approval status of the AMI VN Education 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 lack of compliance with Board Rule 214. In addition, Board members voted to restrict enrollments until outcomes from the April 17, 2012 survey visit were analyzed since the visit had only recently occurred.

- Board Staff 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. TWC approval is required for AMI to operate as an educational entity in the State of Texas.
- At the July 19-20, 2012 meeting, the members of the Board considered the report of the April 17, 2012 survey visit, and based upon deficiencies identified during the survey visit, decided to continue to restrict the enrollment of new students until a decision was reached by TWC about renewal of the AMI Certificate of Approval.
- In August 2012, Dr. William Currey was employed as the AMI Campus President and began to implement corrective measures to meet program deficiencies.
- AMI moved to a 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.
- At the April 18-19, 2013 meeting, the Board discussed Board Staff recommendation to change the approval status from full with warning to conditional approval, but the decision was postponed until Board Staff had the opportunity to survey the new program facility.
- Virginia Ayars, EdD, MS, RN, and Sandi Emerson, MSN, RN, made an unannounced survey visit to AMI on May 22, 2013 (See Attachment #1) and found improvement in the new facility over the previous facility. Though there were currently no new enrolled students and regular classes were not in session, Dr. Emenaha was providing remedial instruction to the thirty-eight (38) students who completed the program on April 15, 2013. It was Board Staff's understanding that Dr. Emenaha had not signed the Affidavits of Graduation for any of these students and none have taken the NCLEX. The remedial classes are being conducted Monday through Friday from 9 a.m. to 4 p.m. In addition to these activities, two Kaplan representatives presented a two-day refresher program on May 4-5, 2013.

Rationale for Staff Recommendation:

- The program has had a history of three (3) years of NCLEX examination pass rates below 80%. The program's approval status was changed from Full Approval to Full with Warning at the April 2012 Board meeting. Rule 214.4(c)(3)(B) states that "A program may be placed on conditional status if the pass rate of first-time NCLEX-PN candidates is less than 80% for three (3) consecutive examination years." Rule 214.4(a)(4) states that "Conditional approval is issued by the Board for a specified time to provide the program opportunity to correct deficiencies."
- Even though the program has not been permitted to enroll new students in the VN Education Program since Board action at the April 2012 meeting, thirty-eight (38) students graduated on April 15, 2013. In addition, the program reported that twenty (20) graduates from previous cohorts have not yet taken the NCLEX.
- The program requested a delay in the usual timing in changes of approval status to give them another chance to be successful with the program. AMI has an opportunity during 2013 to demonstrate NCLEX pass rates above 80% by working with the fifty-eight (58) recent and previous graduates who have not taken the NCLEX 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 that might be implemented during the course of the study.
- Veering from the usual process described in the rules of making decisions of changes in approval status would set a precedent. Several nursing education programs representing all types of education have experienced the chain of events that led to a conditional status. The Board has persevered in abiding by the process and timing described in Board rules. Through valiant efforts, several programs have succeeded in improving their performance, but a few have failed. One program petitioned the Board to have their conditional status changed before the end of the examination year because they had evidence that their pass rate would be higher than 90%, but the Board elected to make NO EXCEPTIONS to the rules. ALL programs on conditional status experience loss of tuition dollars and reputation in their communities.

- An exception to the rule is not warranted in this case.

Staff Recommendation:

Based upon review of the 2012 NCLEX-PN examination pass rate, the 2012 Nursing Education Program Information Survey, Board Rule 214, and the survey visit of May 22, 2013, 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 in the letter (See Attachment #2).

**Summary of Survey Visit Findings - May 22, 2013
American Medical Institute in Houston, Texas
Vocational Nursing Education Program**

Name of Nursing Program:	American Medical Institute Vocational Nursing Education Program Houston, Texas
Nursing Program Director:	Ify Emenaha, PharmD, RN
Reason for Survey Visit:	Unannounced Survey Visit to new facility
Date of Survey Visit:	May 22, 2013
Survey Visitors:	Virginia D. Ayars, EdD, MS, RN Sandi Emerson, MSN, RN
Texas Board of Nursing Approval Status:	Full with Warning
Date of Last BON Survey Visit:	April 17, 2012
Name of Accrediting/Licensing Agencies:	Texas Workforce Commission

Rationale for Unannounced Survey Visit:

- To provide information about the new facility to determine compliance with Board rules, in particular Board Rule 214.11. Facilities, Resources, and Services.

Summary of Survey Visit:

During the visit, Board staff:

- met with Campus President William Currey, PhD, to explain the purpose of the visit, as Program Director Ify Emenaha, PharmD, RN, was actively engaged in providing remediation to the April 15, 2013 program completion cohort;
- visited with the Administrative Assistant to discuss Pearson Vue registration process and remediation schedule;
- toured campus, including the outdoor area;
- examined the nursing skills laboratory;
- viewed director, secretary, and faculty members' office spaces, classrooms, and conference rooms;
- inspected teaching aids; and
- surveyed student lounge and restrooms.

Pertinent Survey Findings:

Physical Facility:

- located in a single-story, stand-alone building in a commercial area of Alief in Southwest Houston at the intersection of Bellaire Boulevard and Cook Road, between S. Dairy Ashford Road and S. Kirkwood Road;
- comprised of 8,800 square feet;
- convenient to city bus route; and
- previous tenant was Creative Child Development Center, a child day-care facility.

Classrooms:

- two (2) classrooms available, with each classroom able to accommodate thirty (30) or more students;
- one (1) additional smaller classroom adjacent to the student lounge area, with an overhead projector and chairs with attached writing arms; and
- teaching aids apparent.

Nursing Skills Lab:

- ten (10) beds and ten (10) low-fidelity mannequins contained in skills lab;
- hot and cold running water verified;
- adequate storage areas for equipment and supplies; and
- bed linens appeared to be new and clean.

Computer Lab:

- twenty-one (21) computers available to students Monday through Friday from 9 am to 4 pm, with instructor supervision; and
- each computer offered access to Kaplan Student Nurse.

Offices and Conference Rooms:

- the program director had a private office;
- faculty offices would be placed in former storage closets of two (2) classrooms;
- one (1) faculty office area (former storage area) had been furnished with a desk, a bookcase above the desk, and overhead lighting; and
- conference rooms adequate.

Administrative Assistance:

- full-time administrative assistance evident.

Document Storage:

- a locked file cabinet containing sensitive documents located in the administrative assistant's office.

Lounges and Restrooms:

- student lounge area contained a sink, refrigerator, microwave, tables, chairs, and student lockers; and
- two (2) restrooms convenient to classrooms and ADA accessible.

During the survey visit, Dr. Currey stated:

- thirty-eight (38) individuals completed the program of study on April 15, 2013;
- all program completers were counseled and offered remediation opportunities;
- they all accepted and agreed to participate in the remediation program;
- remediation provided by Dr. Ify Emenaha at no cost to the program completers;
- sessions at the campus Monday through Friday, from 9 am to 4 pm each day; and
- a two-day NCLEX prep course was presented on May 4-5, 2013 (Saturday and Sunday) by Kaplan representatives and all remediation participants attended.
- Since Dr. Currey assumed the Campus President position in August 2012, the following corrective measures have been implemented:
 - ▶ the school moved to a larger physical location;
 - ▶ with the exception of lead faculty member Sylvia Woods, BSN, RN, a total turnover in faculty occurred;
 - ▶ facility rules, policies, and procedures reviewed and revised in an effort to be more learner-centered;
 - ▶ no relatives of the school administrators allowed to proctor examinations;
 - ▶ students invited to evaluate faculty members' teaching methods;
 - ▶ appropriate clinical learning experiences available; and
 - ▶ the schedule of the clinical affiliations posted on the school bulletin board.

DRAFT

July 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 July 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 information from the survey visit of May 22, 2013. 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

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 July 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, compliance with Rule 214, and the May 22, 2013 survey visit.

Board members in attendance were: Kathy 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 18th day of July, 2013.

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