

ARIZONA STATE BOARD OF NURSING

4747 N. 7th Street Suite 200

Phoenix Arizona 85014-3655

602-771-7800

IN THE MATTER OF NURSING PROGRAM
APPROVAL ISSUED TO:

BROWN MACKIE COLLEGE PHOENIX RN
NURSING PROGRAM

RESPONDENT

NOTICE OF DEFICIENCIES TO
NURSING PROGRAM—
150301RN96400400

The Arizona State Board of Nursing (“Board”) considered this matter in open meeting on May 15, 2015 following a complaint investigation by the Board’s representative regarding Brown Mackie College Phoenix Registered Nurse (“RN”) Nursing Program (“Respondent”) which holds nursing program approval pursuant to Arizona Revised Statutes (“A.R.S.”) § 32-1644 and Arizona Administrative Code (“A.A.C.”) R4-19-210. The Board determined that Respondent’s nursing program is not maintaining required standards and voted to issue a Notice of Deficiency to Respondent pursuant to (“A.R.S”) § 32-1644 (D) and A.A.C. R4-19-212(A).

FACTUAL ALLEGATIONS

1. Brown Mackie College – Phoenix (Respondent) holds Board approval for an associate degree registered nursing program that was granted provisional approval in July, 2010. The Board issued a Notice of Deficiency to Respondent (Order number 1407001RN96404) on November 21, 2014. The

facts and legal violations as stated in the Notice of Deficiency, attached, and hereby incorporated by reference.

2. Brown Mackie College - Phoenix reported an on time graduation rate of 39% for the 2014 calendar year, thereby violating R4-19-206 (H) which requires that at least 45% of students enrolled in the first nursing clinical course shall graduate within 100% of the prescribed period. Failure to graduate students in prescribed program timeframe causes harm to students in the form of additional tuition and fees and loss of time in nursing workforce.

LEGAL VIOLATIONS

The Board has authority pursuant to A.R.S. §§ 32-1606 (B) (1) (2) (8) (10), and 32-1664 (C) and (D) to issue this Notice of Deficiency against respondent for violations of the Nurse Practice Act, A.R.S. §§ 32-1661 - 1669 and A.A.C. Title 4, Chapter 19, Article 2.

ARS §32-1601. Definitions

22. "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.
 - g. Willfully or repeatedly violating a provision of this chapter or a rule adopted pursuant to this chapter.
 - h. Committing an act that deceives, defrauds or harms the public.
 - j. Violating this chapter or a rule that is adopted by the board pursuant to this chapter.

POTENTIAL VIOLATION OF RULES—Effective July 6, 2013

R4-19-206. Curriculum

H. At least 45% of students enrolled in the first nursing clinical course shall graduate within 100% of the prescribed period. "Prescribed period" means the time required to complete all courses and to graduate on time according to the nursing program's curriculum plan excluding the time to complete program pre-requisite or pre-clinical courses

CORRECTIVE ACTION

Respondent shall correct the deficiencies identified above within 7 months of the date of service of this Notice. [A.A.C. R4-19-211(A)].

Respondent shall, within 30 days of the date of service of this Notice, file a plan to correct and implement that plan to correct each of the identified deficiencies after consultation with the Board or designated Board representative. [A.A.C. R4-19-212(A)(1)].

Failure to correct the deficiencies within the period of correction may result in restriction of Respondent's ability to admit new students and/or rescission of program approval. [A.R.S. § 32-1644 (D) and A.A.C. R4-19-212(B) and (C)].

On or before the last day of the period of correction, the program shall file a report with the Board containing evidence that all deficiencies are remedied. Additionally, Respondent shall submit a comprehensive self-study to the Board by May 31, 2015 to be followed by a site visit.

NOTICE OF APPEAL RIGHTS

Respondent may, within 30 days of the date of service of this Notice, submit a written request for a hearing before the Office of Administrative Hearings to appeal the Board's determination of deficiencies. Hearings shall be conducted in accordance with A.R.S. Title 41, Chapter 6, Article 10 and 4 A.A.C. 19, Article 6. [A.A.C. R4-19-212(A)(2)].

If the Board's determination is not appealed or is upheld upon appeal, the Board shall conduct periodic evaluations of the program during the time of correction to determine whether the deficiencies have been corrected. [A.A.C. R4-19-212(A)(3)].

For answers to questions regarding this Notice, contact Ronda Doolen at (602) 771-7877.

Dated the 12th day of June 2015

SEAL



Joey Ridenour, R.N., M.N.

Executive Director

Copy mailed this 12th day of June, 2015 via U.S. Certified Mail, Certificate number:
7011 3500 0001 5219 4122 to:

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Administrative Assistant