

ARIZONA STATE BOARD OF NURSING

4747 N. 7<sup>th</sup> Street Suite 200

Phoenix Arizona 85014-3655

602-771-7800

IN THE MATTER OF NURSING PROGRAM  
APPROVAL ISSUED TO:

ISSUED TO: BROOKLINE COLLEGE SCHOOL OF  
NURSING  
2445 W. DUNLAP AVENUE  
SUITE 100  
PHOENIX AZ 85021  
RESPONDENT

NOTICE OF DEFICIENCIES TO  
NURSING PROGRAM—140903RN965005

The Arizona State Board of Nursing (“Board”) considered this matter in open meeting on May 14, 2015 following a complaint investigation by the Board’s representative regarding Brookline College School of Nursing Nursing Program (“Respondent”), located in Phoenix, Arizona, which holds nursing program approval pursuant to Arizona Revised Statutes (“A.R.S.”) § 32-1644 and Arizona Administrative Code (“A.A.C.”) R4-19-213. 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. Respondent holds full approval for a registered nursing (RN) bachelor’s program which was granted January 30, 2013.

2. During a site visit conducted by Board staff on 9/10/14 and 9/11/14, it was reported by a program representative to Board staff that corporate administration determined that more students needed to be enrolled without consideration of the resources involved and without the approval of the nursing program administrator. Other decisions such as the type of tablet (computer) issued to students, the use of e-books and teaching/grading software were made by corporate personnel outside the nursing program without nursing input. During a subsequent site visit conducted by Board staff on 4/8/15, the program was unable to produce substantive evidence, such as meeting agendas, minutes, or policies, that the nursing program administrator contributed to the governance of the institution and had control of the program including admissions and academic decisions. These actions constitute violations of A.A.C. Rule 4-19-201 (D) and A.A.C. Rule 4-19-203(C) (1) (2) and (7).

### 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; specifically:

#### **ARS §32-1601**

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.

## VIOLATION OF RULES—Effective July 6, 2013

### **R4-19-201. Organization and Administration**

D. The parent institution shall center the administrative control of the nursing program in the nursing program administrator and shall provide the support and resources necessary to meet the requirements of R4-19-203 and R4-19-204.

### **R4-19-203. Administrator; Qualifications and Duties**

C. The administrator shall have the authority to direct the program in all its phases, including:

1. Administering the nursing education program;
2. Directing activities related to academic policies, personnel policies, curriculum, resources, facilities, services, and program evaluation;
7. Participating in activities that contribute to the governance of the parent institution;

## CORRECTIVE ACTION

Respondent shall correct the deficiencies identified above within 6 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, Respondent shall file a report with the Board containing evidence that all deficiencies are remedied.

## 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 Pamela Randolph at (602) 771-7803.

Dated the 12th day of June 2015

SEAL



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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 4115** to:

Janina Johnson, MSN, RN  
Nursing Program Director  
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Administrative Assistant