

BEFORE THE ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF EAST VALLEY
INSTITUTE OF TECHNOLOGY LICENSED
PRACTICAL NURSING PROGRAM (EVIT)
APPROVAL NO.US96103000 ISSUED TO:

EAST VALLEY INSTITUTE OF
TECHNOLOGY LICENSED PRACTICAL
NURSING PROGRAM
1601 W. MAIN STREET
MESA, AZ 85201

DECREE OF CENSURE
CONSENT AGREEMENT
AND ORDER NO. 190104PN96103000

RESPONDENT

The Arizona State Board of Nursing (“Board”) received allegations that East Valley Institute Of Technology (EVIT) (“Respondent”) violated the Nurse Practice Act. In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued registered nursing program approval US96103000.
2. The Board received Respondent’s NCLEX scores for 2017 and 2018, and based upon the score results, the Board conducted an investigation.
3. Respondent’s NCLEX- PN first time pass rate for 2017 and 2018 calendar years were below the 80% required for two years. Specifically, Respondent’s annual NCLEX-PN pass rate for 2018 was 76.92% and the 2017 NCLEX-PN annual pass rate for 2017 was 54.84%. These

rates are below the passing rate of less than 80% for two consecutive calendar years and reflect a violation of Arizona Administrative Code R4-19-206 (G).

CONCLUSIONS OF LAW

Pursuant to A.R.S. §§ 32-1606, 32-1663 and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitutes violations of A.R.S. § 32-1663 (D) as defined in and currently cited as § 32-1601 (26) (d) and (j) (effective August 9, 2017) 26. "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.(j) Violating this chapter or a rule that is adopted by the board pursuant to this chapter; and A.A.C. R4-19-206 (G), in pertinent part: "A nursing program shall maintain at least an 80% NCLEX-RN passing rate for graduates taking the NCLEX-RN for the first time within 12 months of graduation."

The conduct and circumstances described in the Findings of Fact constitutes sufficient cause pursuant to A.R.S. § 32-1664(O) to revoke, suspend or take other disciplinary action against Respondent's program approval to conduct a registered nursing program in the State of Arizona.

However, in lieu of a hearing, Respondent agrees to issuance of the following Order and waives all rights to a hearing, rehearing, appeal or judicial review relating to this matter. Respondent further waives any and all claims or causes of action, whether known or unknown, that Respondent may have against the State of Arizona, the Board, its members, offices, employees and/or agents arising out of this matter.

Respondent admits to the Board's Findings of Fact and Conclusions of Law.

Respondent understands that the admissions in the Findings of Fact are conclusive evidence of a violation of the Nurse Practice Act and may be used for purposes of determining sanctions in any future disciplinary matter.

Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation has been either obtained or is waived.

Respondent understands that this Consent Agreement is effective upon its acceptance by the Board or its designee and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by Respondent, the Agreement cannot be withdrawn without the Board's approval or by stipulation between Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by Respondent and accepted by the Board or its designee.

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Catherine Jagos ev.msn

EAST VALLEY INSTITUTE OF
TECHNOLOGY, Respondent, its
Authorized Representative - Signature

Catherine E Jagos MSN, BSN, RN
Director of EVIT PN Program

Print the signer's name AND title

Dated: 6/25/19

SEAL

ARIZONA STATE BOARD OF NURSING

Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

Acceptance Date: 6/25/2019

ORDER

In view of the above Findings of Fact, Conclusions of Law, and the consent of Respondent, the Board hereby issues the following Order:

- A. Respondent's consent to the terms and conditions of this Order and waiver of hearing is accepted.
- B. It is ordered that a DECREE OF CENSURE be entered against program approval no US96103000, held by Respondent.

SEAL

Board Date: 5/17/2019
ARIZONA STATE BOARD OF NURSING

Joey Ridenour R.N. M.N. F.A.A.N.

Joey Ridenour, R.N., M.N., F.A.A.N.
Executive Director

JR/CG:ll

COPY mailed this 19th day of June, 2019 via secure email to:

East Valley Institute of Technology
Catherine Jagos
cjagos@evit.com

DULY SIGNED Copy mailed this 3rd day of July, 2019 via email to
East Valley Institute of Technology
Catherine Jagos
cjagos@evit.com

By: Lyn Ledbetter
Administrative Assistant