Kelly Farnsworth, MSN, RN  
Interim Program Director  
Piedmont Virginia Community College  
501 College Drive  
Charlottesville, VA 22901

RE: Case Number 185565

Dear Ms. Farnsworth:

At the July 10, 2019 meeting, the Education Informal Conference Committee ("Committee") of the Virginia Board of Nursing ("Board") held an Informal Conference regarding the status of Piedmont Virginia Community College Practical Nursing Program pursuant to Virginia Code §2.2-4019. Pursuant to 18VAC90-27-230(C)(2) of the Board of Nursing regulations, the Committee will recommend to the Board that the program be continued on conditional approval with terms and conditions.

Enclosed is the Committee’s recommendation. This recommendation will be considered by the Board on September 17, 2019. At its meeting, the Board may accept, reject, or modify the recommended decision, or refer the matter to a formal hearing. You will be notified in writing of the Board’s decision after its meeting.

Since you participated in the Informal Conference, pursuant to Virginia Code § 2.2-4021 you have the opportunity to respond either in person or in writing at the time the Board considers this recommendation. Your response is limited to addressing the recommended findings of fact, conclusions of law, and disposition contained in the attached Recommendation. If you choose to respond in person, you will be allotted five minutes to address the Recommendation with the Board. No new information should be provided in either a written response or personal appearance, as no new or additional information will be considered. Written responses must be received in the Board office by September 6, 2019. Please understand that any written response received after said date will not be considered by the Board. If you plan to appear, you must confirm your appointment by close of business on September 6, 2019.
If you have any questions regarding this matter, please contact our office at, (804) 367-4634.

Sincerely,

Robin L. Hills, DNP, RN, WHNP-BC
Deputy Executive Director
Virginia Board of Nursing

cc: Dr. Frank Friedman, President
    Dr. John Donnelly, VP of Instruction & Student Services
    Dr. Jean Chappell, Dean, Health & Life Sciences
    Sharon Morrissey, Ed, D, Vice Chancellor Academic Services & Research
    Peter Blake, Director, SCHEV
BEFORE THE VIRGINIA BOARD OF NURSING

IN RE: PIEDMONT VIRGINIA COMMUNITY COLLEGE
PRACTICAL NURSING EDUCATION PROGRAM
Program Code: US28203800
Case Number: 185565

REPORT AND RECOMMENDATION OF
EDUCATION SPECIAL CONFERENCE COMMITTEE

Jurisdiction and Procedural History

Pursuant to Virginia Code §§ 2.2-4019, 54.1-2400(10), and 54.1-3014, the Education Special Conference Committee ("Committee") of the Virginia Board of Nursing ("Board"), held an informal conference on July 10, 2019 in Henrico County, Virginia, to inquire into evidence that Piedmont Virginia Community College Practical Nursing Education Program ("PVCC-PN") may have violated certain laws and regulations governing the operation of practical nursing education programs in the Commonwealth of Virginia.

Present at this proceeding on behalf of PVCC-PN were Kelly Farnsworth, MSN, RN, Interim Program Director, John Donnelly, Vice President for Instruction and Student Services, and Jean Chappell, Dean of Health and Life Sciences. The program was represented by Noelle Shaw-Bell, Esquire.

Upon consideration of the evidence, the Committee makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

Notice

By letter dated June 7, 2019, the Board sent a Notice of Informal Conference ("Notice") to PVCC-PN notifying it that an informal conference would be held on July 10, 2019. The Notice was sent by certified and first class mail to the legal address of record on file with the Board.
Recommended Findings of Fact and Conclusions of Law

1. Piedmont Virginia Community College Practical Nursing Education Program was granted approval to operate a practical nursing education program on November 3, 2009. The program was placed on conditional approval on March 15, 2015, following two years of NCLEX passage rates for first-time test takers below 80%.

2. By Order entered May 27, 2016, the program was continued on conditional approval subject to certain terms and conditions following three successive years of NCLEX passage rates for first-time test takers below 80%. By Order entered July 14, 2017, the program was again continued on conditional approval subject to certain terms and conditions, following four successive years of NCLEX passage rates for first-time test takers below 80%.

3. PVCC-PN violated Term Number 1(b) of the Order of the Board entered July 14, 2017 ("Board’s Order"), which required its NCLEX passage rate for first-time test taking graduates of the December 2017 class to be 80% or above, and 18 VAC 90-27-140(A)(11) and 18 VAC 90-27-210 of the Regulations for Nursing Education Programs ("Regulations"), in that the NCLEX passage rate for first-time test taking graduates of the December 2017 class was 64.29%.

4. PVCC-PN violated Term Number 1(d) of the Board’s Order, which required it to comply with all of the Board’s regulations for maintaining an approved practical nursing education program in Virginia, 18 VAC 90-27-140(A)(11) of the Regulations, and the following Regulations, as evidenced by the following:

   a. PVCC-PN violated 18 VAC 90-27-40(B) of the Regulations in that it failed to present evidence that the institutions used for clinical experience were in good standing with their licensing bodies.
b. PVCC-PN violated 18 VAC 90-27-50(1) of the Regulations in that it failed to provide evidence that the faculty and program director formulate and accept the curriculum.

c. PVCC-PN violated 18 VAC 90-27-60(A)(3) of the Regulations in that it failed to provide evidence that the program director and each member of the faculty completed continuing competency activities.

d. PVCC-PN violated 18 VAC 90-27-60(B)(3) of the Regulations in that it failed to provide evidence of the actual number of students supervised by faculty during precepted experiences.

e. PVCC-PN violated 18 VAC 90-27-60(C)(1), (3), and (6) of the Regulations in that it failed to provide evidence that faculty develop, implement, and evaluate the philosophy and objectives of the program; develop and evaluate student admission, progression, retention, and graduation policies within the framework of the controlling institution; and document actions taken in faculty and committee meetings using a systematic plan of evaluation for total program review.

f. PVCC-PN violated 18 VAC 90-27-80(E)(1)-(4) and 18 VAC 90-27-190(B) of the Regulations in that the clinical contract with Western State Hospital, which is identified as a clinical agency on the roster, is expired.

g. PVCC-PN violated 18 VAC 90-27-80(F) of the Regulations in that the agency roster it provided to the Board did not provide information regarding the accreditation or licensing approval status of the agencies used for clinical experiences.

h. PVCC-PN violated 18 VAC 90-27-90(B)(1)-(8) of the Regulations in that the course outlines or syllabi provided to the Board were insufficient to verify whether each course contains the required elements.
i. PVCC-PN violated 18 VAC 90-27-180(B) of the Regulations in that it failed to provide the Board with evidence that it maintains a system of records regarding course outlines and a current systematic plan of evaluation.

j. PVCC-PN violated 18 VAC 90-27-180(C) of the Regulations in that it failed to provide evidence that it maintains a file that is available for review by Board staff for each student.

k. PVCC-PN violated 18 VAC 90-27-190(A) of the Regulations in that it failed to provide evidence that it conducts periodic employer evaluations for graduates of the program.

l. PVCC-PN violated 18 VAC 90-27-140(A)(10) and 18 VAC 90-27-210(A) of the Regulations in that its NCLEX passage rate for first-time test takers in Calendar Year 2018 was 66.67%.

5. At the informal conference, the College's Vice President for Instruction and Student Services expressed administrative and financial support for the practical nursing education program.

6. The program presented evidence of implementation of a change in its administrative structure in that there is a new associate dean position with oversight of all nursing programs rather than a faculty member serving as the program director.

7. The program presented evidence of implementation of programmatic changes, including computerized testing, NCLEX-style testing, and a privately funded voucher system that will fund the NCLEX examination for all graduates.

8. In Calendar Year 2019 to date, 13 graduates of the program have taken the NCLEX with a 100% pass rate.

**Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Education Special Conference Committee recommends that the Board issue an Order as follows:
1. PVCC-PN shall remain on conditional approval under the following terms and conditions:
   a. PVCC-PN's NCLEX passage rate for first-time test takers for Calendar Years 2019 and 2020 shall be 80% or above.
   b. PVCC-PN shall be subject to a survey visit by Board staff no later than December 31, 2019. At such time, PVCC-PN shall provide the following:
      i. Evidence of current faculty continuing education.
      ii. Evidence of the actual number of students supervised by faculty during precepted experiences.
      iii. Evidence of a revised systematic plan of evaluation for total program review and dates for reviewing each course.
      iv. A current signed clinical contract with Western State Hospital.
      v. Evidence of cross-walking the curriculum to the requirements of the Regulations.
      vi. Evidence of employer evaluations of recent graduates.
      vii. Access to all student records whether electronic or hard copy.
   c. PVCC-PN shall provide a copy of this Order to all current and prospective students and all faculty members. Further, PVCC-PN shall publish this Order on its website.
   d. All publications shall reflect that PVCC-PN is on conditional approval.
   e. PVCC-PN shall comply with all of the Board's regulations for maintaining an approved practical nursing education program in Virginia.

2. Any violation of the terms and conditions of this Order or any law or regulation affecting the operation of nursing education programs in the Commonwealth of Virginia may constitute grounds
for the withdrawal of approval of PVCC-PN, and an administrative proceeding shall be convened to determine whether such approval shall be withdrawn.

3. Upon review of compliance with the terms and conditions of this Order, the Board will further consider PVCC-PN's approval status, which may require its appearance before a Committee of the Board. Upon receipt of evidence of PVCC-PN's full compliance with all terms and conditions of this Order, the Committee, at its discretion, may waive PVCC-PN's appearance before the Committee and may conduct an administrative review of this matter to determine restoring PVCC-PN's full approval status to operate a practical nursing education program without restriction, unless there is a pending investigation or unresolved allegation involving a violation of law or regulation.

Reviewed and approved
By Joyce Hahn
Chair, Education Special Conference Committee