

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: CHESTER CAREER COLLEGE PRACTICAL NURSING EDUCATION  
PROGRAM  
Program Number: US28103000  
Case Number: 183650**

**RATIFICATION AND ORDER**

On November 13, 2018, a panel of the Board met to receive and act upon the Recommended Decision of the Education Special Conference Committee. Chester Career College Practical Nursing Education Program ("Chester Career College PN") was not present nor represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Education Special Conference Committee and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

Pursuant to Virginia Code § 54.1-2400(10), Chester Career College PN may, not later than 5:00 p.m., on December 26, 2018, notify Jay P. Douglas, R.N., M.S., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233, in writing that it desires a formal administrative hearing before the Board. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

*for* Paula B. Sashy, R.N., Ph.D.  
Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

ENTERED AND MAILED ON:

November 19, 2018

This Order shall become final on December 26, 2018, unless a request for a formal administrative hearing is received as described above.

Certified True Copy

By draham  
Virginia Board of Nursing

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**IN RE: CHESTER CAREER COLLEGE PRACTICAL NURSING EDUCATION PROGRAM**  
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**REPORT AND RECOMMENDATION OF THE EDUCATION SPECIAL CONFERENCE COMMITTEE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), the Education Special Conference Committee ("Committee") of the Virginia Board of Nursing ("Board"), held an informal conference on November 1, 2018 in Henrico County, Virginia, to inquire into evidence that Chester Career College Practical Nursing Education Program ("Chester Career College PN") may have violated certain laws and regulations governing the operation of a practical nursing education program in the Commonwealth of Virginia and certain terms of an Order of the Board entered March 29, 2017.

At the informal conference, Chester Career College PN Program Director Candace Staton appeared on behalf of the program. Chester Career College PN was represented by Dennis Engilsby, Esquire.

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

**Notice**

By letter dated August 7, 2018, the Board sent a Notice of Informal Conference ("Notice") to Chester Career College PN notifying it that an informal conference would be held on September 5, 2018. The Notice was sent by certified and first class mail to the legal address of record on file with

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the Board. The Board granted Chester Career College's request for a continuance, and by letter dated October 2, 2018, the Board sent an Amended Notice of Informal Conference to Chester Career College PN notifying it that the informal conference would be held on November 1, 2018.

### **Recommended Findings of Fact and Conclusions of Law**

1. Chester Career College Practical Nursing Education Program ("Chester Career College PN") (formerly Richmond School of Health & Technology) was granted full approval to operate a practical nursing education program in May 2000. Pursuant to a Consent Order entered May 30, 2008, the program was placed on conditional approval. Pursuant to a second Consent Order entered July 26, 2011, the program's approval to operate a practical nursing education program was withdrawn. The withdrawal of approval was stayed and the program was continued on conditional approval subject to certain terms and conditions. By Order entered February 1, 2013, the Board vacated the withdrawal of approval and continued the program on conditional approval subject to certain terms and conditions. This Order was based on findings that Chester Career College PN had demonstrated compliance with prior Board Orders with the exception of the provision of supervised clinical experiences in maternal/child health. By Order entered September 25, 2015, the Board continued Chester Career College PN on conditional approval subject to certain terms and conditions. On March 29, 2017, the Board entered an Order continuing Chester Career College PN on conditional approval for one year from the entry of the Order.

2. Chester Career College PN violated 18 VAC 90-27-90(B)(1) and 18 VAC 90-27-140(A)(1) and (2) of the Regulations for Nursing Education Programs ("Regulations") and Term Nos. 2 and 3 of the Board's March 29, 2017, Order ("Board's Order"), which required it (a) to submit evidence that each graduating cohort has received supervised clinical experience in maternal/infant (obstetrics, gynecology, neonatal) nursing and that such experience was reflected in each student

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record and accompanying transcript and (b) to remain in compliance with all regulations governing nursing education programs. Specifically, Chester Career College PN was unable to demonstrate to the Board via student records and/or transcripts that all students who graduated between May 2017 and April 2018 received maternal/infant clinical experiences. There was no documentation to reflect that all graduating students had obtained experience in obstetrics, gynecology, and neonatal nursing.

3. Chester Career College PN violated 18 VAC 90-27-100(D)(1), (2), and (5)(c) and 18 VAC 90-27-140(A)(1) and (2) of the Regulations and Term No. 3 of the Board's Order in that it did not provide in the syllabus or simulation guidelines information regarding the number of simulation hours completed in lieu of direct client care. As such, the Board was unable to verify that no more than 50 percent of the total clinical hours for the maternal/infant nursing curriculum was completed as simulation.

4. Chester Career College PN violated 18 VAC 90-27-100(D)(4), 18 VAC 90-27-60(A)(2) and 18 VAC 90-27-140(A)(1) and (2) of the Regulations and Term No. 3 of the Board's Order in that it failed to demonstrate to the Board that its simulation faculty had education or experience in the area of maternal/infant nursing.

5. Chester Career College PN admitted to the allegations stated in the Notice of Informal Conference.

6. During the informal conference, representatives of Chester Career College PN demonstrated to the Board remediation efforts it had undertaken since the new program director was hired in July 2017. These efforts included the hiring of several experienced registered nursing staff to assist in the remediation efforts, as well as changes in the documentation and the process of the clinical experiences. Further, Chester Career College provided additional clinical experiences to students who had graduated without those clinical experiences.

7. The program director stated to the Committee that the school needed to continue improving its processes with respect to documentation and provision of clinical experiences. Revised clinical experience forms will be implemented beginning in January 2019.

**Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Special Education Conference Committee recommends that the Board issue an Order as follows:

1. The approval of Chester Career College PN to operate a practical nursing education program is WITHDRAWN.
2. This withdrawal of approval shall be STAYED, and Chester Career College PN shall remain on conditional approval, contingent upon the following terms and conditions:
  - a. Chester Career College PN's NCLEX-PN pass rate for Calendar Year 2018 shall be 80 percent or greater.
  - b. Chester Career College PN shall submit a Self-Evaluation Report, followed by a satisfactory survey visit pursuant to 18 VAC 90-27-150(A)(1) and (3), to occur in Calendar Year 2019, made by a representative of the Board verifying the program is in compliance with all requirements for program approval.
  - c. At its discretion, the Board may conduct additional site visits to determine compliance with this Order and with the laws and regulations governing the operation of a practical nursing education program. Chester Career College PN shall be responsible for any fees that may be required for review and approval, including but not limited to those fees associated with survey and site visits.
  - d. Chester Career College PN shall comply with the Board's regulations for maintaining an approved practical nursing education program.

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e. Chester Career College PN shall provide written evidence to the Board that it has notified in writing within 60 days of the entry of this Order all accepted and current students of this action. Chester Career College shall also post this Order prominently on its website within 60 days of the entry of the Order.

f. Failure to comply with the terms and conditions of the stay of suspension shall result in the immediate rescission of the stay of suspension of the approval of Chester Career College PN and the approval shall be recorded as suspended. After any rescission of the stay of suspension, Chester Career College PN may, within 33 days of the effective date of the rescission, request a formal administrative hearing before the Board.

g. Upon receipt of evidence of Chester Career College PN's compliance with all terms and conditions of this Order, the Committee, at its discretion, may waive Chester Career College PN's appearance before the Committee and conduct an administrative review of this matter to determine Chester Career College PN's approval status to operate a practical nursing education program.

Reviewed and determined to be consistent with the  
Education Special Conference Committee's Decision

Paula B. Saxby, R.N., Ph.D.

Paula B. Saxby, R.N., Ph.D.  
Deputy Executive Director, Virginia Board of Nursing

November 7, 2018  
Date

Certified True Copy

By A. Graham  
Virginia Board of Nursing