

BEFORE THE VIRGINIA BOARD OF NURSING

IN RE:

MEDICAL LEARNING CENTER
PRACTICAL NURSING EDUCATION PROGRAM
Program Code: US28110500
Case Numbers: 194362, 186363

ORDER

JURISDICTION AND PROCEDURAL HISTORY

Pursuant to Virginia Code 2.2-4020, 2.2-4024(F), and 54.1-2400(11), a panel of the Virginia Board of Nursing ("Board") held a formal administrative hearing on February 28, 2022, in Henrico County, Virginia, to inquire into evidence that Medical Learning Center Practical Nursing Education Program ("MLC-PN") may have violated certain laws and regulations governing the operation of nursing education programs in the Commonwealth of Virginia.

MLC-PN did not appear at this proceeding and was not represented by legal counsel.

NOTICE

By letter dated January 24, 2022, the Board sent a Notice of Formal Hearing ("Notice") to MLC-PN notifying it that a formal administrative hearing would be held on February 28, 2022. The Notice was sent by overnight and first class mail to the legal address of record on file with the Board. By email on February 9, 2022, MLC-PN communicated with Board staff that it would not appear at the formal hearing. Accordingly, the panel Chair concluded that adequate notice was provided to MLC-PN and the formal hearing proceeded in its absence.

Upon consideration of the evidence, the Board adopts the following Findings of Fact and Conclusions of Law and issues the Order contained herein.

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FINDINGS OF FACT

CONCLUSIONS OF LAW

1. Finding of Fact No. 2 constitutes a violation of 18 VAC 90-27-130(B)(1)(b) and 90-27-40(A)(4) of the Regulations for Nursing Education Programs ("Regulations").
2. Finding of Fact No. 3 constitutes a violation of 18 VAC 90-27-140(A)(1), 18 VAC 90-90(B)(1), and 18 VAC 90-27-100(D)(2) of the Regulations.
3. Finding of Fact No. 4 constitutes a violation of 18 VAC 90-27-140(A)(1) and 18 VAC 90-27-110(G) of the Regulations.

4. Finding of Fact No. 5 constitutes a violation of 18 VAC 90-27-140(A)(1) and 18 VAC

90-27-60(A)(1) of the Regulations.

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ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. MLC-PN is continued on INITIAL APPROVAL status.

2. MLC-PN shall submit to a survey visit by the Board, on a mutually agreed upon date, within 120 days of the date of entry of this Order.

MLC-PN shall be responsible for paying the survey visit fee. MLC-PN shall submit the following to the site inspector 30 days prior to the visit:

- a. A completed programmatic self-study form to assist the site inspector in determining compliance with all of the Board's regulations for maintaining an approved practical nursing program in Virginia.

- b. A list of all current cohorts and their graduation dates.

- c. All current contracts for pediatric clinical experiences, to include a description of direct client care opportunities.

- d. All information regarding use of preceptors, including preceptor agreements and preceptor resumes.

3. Upon review of compliance with the terms and conditions of this Order, the Board will further consider MLC-PN's approval status, which will require its appearance before the Education Special Conference Committee of the Board.

4. MLC-PN shall provide a copy of this Order to all current and prospective students, to all faculty members, and to the program's advisory board. Further, MLC-PN shall publish this Order on its website.

5. All publications shall reflect that MLC-PN is on initial approval.

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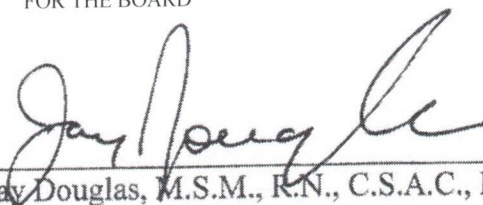
6. MLC-PN shall comply with all of the Board's regulations for maintaining an approved practical nursing program in Virginia.

7. Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the operation of practical nursing education programs shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code SS 2.2-4023 and 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.

Month Day, Year

FOR THE BOARD



Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.

Executive Director

Virginia Board of Nursing

March 18th, 2022

ENTERED AND MAILED ON:

NOTICE OF RIGHT TO APPEAL

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you are served with this Order in which to appeal this decision by filing a Notice of Appeal with Jay Douglas,

M.S.M., R.N., C.S.A.C., F.R.E., Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. The service date shall be defined as the date you actually received this decision or the date it was mailed to you, whichever occurred first. In the event this decision is served upon you by mail, three days are added to that period.

Certified True Copy

By J. D. Dade

Virginia Board of Nursing