



Ohio Board of Nursing

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17 South High Street, Suite 400 • Columbus, Ohio 43215-7110 • (614) 466-3917

I certify that the attached records are a true copy of Ohio Board of Nursing disciplinary records.

Betsy J. Houchen

Betsy Houchen, R.N., M.S., J.D.
Executive Director



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**CONSENT AGREEMENT
BETWEEN
BRYANT AND STRATTON COLLEGE BACHELOR OF SCIENCE
IN NURSING
AND
OHIO BOARD OF NURSING**

This Consent Agreement is entered into by and between **BRYANT AND STRATTON COLLEGE BACHELOR OF SCIENCE IN NURSING**, located at 12955 Snow Road, Parma, Ohio 44130 (**BRYANT AND STRATTON BSN**), and the Ohio Board of Nursing (Board), the state agency charged with enforcing Chapter 4723. of the Ohio Revised Code (ORC), and all administrative rules promulgated thereunder.

BRYANT AND STRATTON BSN voluntarily enters into this Consent Agreement being fully informed of its rights under Chapter 119., ORC, including the right to representation by legal counsel and the right to a formal adjudicative hearing on the issues considered herein.

This Consent Agreement contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this Consent Agreement.

BASIS FOR ACTION

This Consent Agreement is entered into on the basis of the following stipulations, admissions and understandings:

- A. The Board is empowered by Section 4723.06(A)(4), Ohio Revised Code (ORC), to define the minimum standards for educational programs of the schools of registered nursing and schools of practical nursing in this state. Section 4723.06(A)(6), ORC, authorizes the Board to grant conditional approval, by a vote of a quorum of the board, to a new prelicensure nursing education program or a program that is being reestablished after having ceased to operate, if the program meets and maintains the minimum standards of the board established by rules adopted under section 4723.07 of the Revised Code. If the Board does not grant conditional approval, it shall hold an adjudication under Chapter 119. of the Revised Code to consider conditional approval of the program. If the Board grants conditional approval, at the first meeting following completion of the survey process required by division (A)(5) of Section 4723.06, ORC, the Board shall

determine whether to grant full approval to the program. If the Board does not grant full approval or if it appears that the program has failed to meet and maintain standards established by rules adopted under Section 4723.07 of the Revised Code, the Board shall hold an adjudication under Chapter 119. of the Revised Code to consider the program. Based on results of the adjudication, the Board may continue or withdraw conditional approval, or grant full approval. Chapter 4723-5, Ohio Administrative Code (OAC), establishes requirements for nursing programs to meet and maintain in order to obtain conditional, provisional and full Board approval.

- B. **BRYANT AND STRATTON BSN** currently operates a bachelor of science in nursing program, located in Parma, Ohio. The controlling agency for **BRYANT AND STRATTON BSN** is Bryant & Stratton College, Inc., a foreign corporation doing business in Ohio.
- C. **Rosemary Bakasa, Ph.D., R.N.**, former Program Administrator, advised the Board on February 1, 2016 that she was resigning her position as Program Administrator effective February 14, 2016. To date, no current Program Administrator has been named. **Lisa M. Mason, Campus Director, Bryant and Stratton, Parma Campus**, is legally authorized to enter this Consent Agreement on behalf of **BRYANT AND STRATTON BSN** and its controlling agency.
- D. **BRYANT AND STRATTON BSN** was granted conditional approval by the Board effective November 19, 2012.
- E. On November 18-19, 2015, the Board conducted an announced survey visit to review **BRYANT AND STRATTON BSN** for consideration for full approval at the March 2016 Board meeting (Survey Visit). The Board issued its Survey Visit Report (SVR) on December 10, 2015, and **BRYANT AND STRATTON BSN** submitted its Response on January 28, 2016 (SVRR). (Both the SVR and the SVRR incorrectly identified the date of the Survey Visit as October 26-27, 2015, though the Survey Visit actually occurred on November 18-19, 2015.)
- F. **BRYANT AND STRATTON BSN** agrees that it has not met or maintained the following requirements as discussed below and states that it has addressed these areas of citation so that its conditional status may be continued and its student enrollment not be adversely affected:
 - 1. Despite the requirements of Rule 4723-5-06(C), OAC the former Program Administrator did not include a completed Part I document or all nursing course syllabi in the Pre-survey Visit Report (PVR).
 - 2. Despite the requirements of Rule 4723-5-12(A)(1), OAC, **BRYANT AND STRATTON BSN** failed to implement its written admission

policy. The admission policy required students to provide current health record documentation prior to admission, including but not limited to, a health history and examination, proof of vaccinations including Rubeola, Rubella, Tetanus/diphtheria, Poliomyelitis, Hepatitis B, Varicella, and a Tuberculosis (TB) skin test. During the Survey Visit, the former Program Administrator could not provide a health history and examination for two (2) students, documentation of a Rubeola and Rubella vaccination for one (1) student, documentation of a Tetanus/diphtheria vaccination for two (2) students, documentation of a Poliomyelitis vaccination for one (1) student, documentation of Hepatitis B vaccination for two (2) students, documentation of Varicella vaccination for two (2) students, and documentation of Tuberculosis (TB) skin test for two (2) students. The admission policy also required evidence of American Heart Association Health Care Provider certification and current health care insurance coverage. The former Program Administrator could not provide evidence of certification by the American Heart Association Health Care Provider for six (6) students, and could not provide documentation of current health care insurance coverage for one (1) student.

3. Despite the requirements of Rule 4723-5-19(A)(10), OAC, the syllabus for the course, Concepts Basic to Nursing, distributed to students during Spring 2014, Winter 2015, and Spring 2015 did not include the names of individuals who provided clinical instruction. Syllabi for the courses, Gerontology Nursing, during Spring 2015 and Winter 2015, and Psychiatric Mental Health Nursing, during Winter 2015, did not include the names of individuals who provided the clinical instruction.
4. Despite the requirements of Rule 4723-5-21(D)(1), OAC, the record for clinical instructor Christine Cook did not contain a copy of her official academic transcripts.

G. In its SVRR, **BRYANT AND STRATTON BSN** acknowledges the areas of citation in the SVR and describes steps taken to address them. Regarding Item F. 1, above, the former Program Administrator acknowledged that the PVR was not complete when submitted, noted that a completed Part I and all course syllabi were provided during the Survey Visit and stated that she understood that for future surveys a complete PVR is to be provided within required timeframes. Regarding Item F. 2, above, the former Program Administrator acknowledged that the admission policy was not implemented for all students and stated that corrective action was taken after the Survey Visit to update student records and to implement the admission policy as written. Regarding Item F. 3, above, the former Program Administrator acknowledged that the cited syllabi lacked required

information. She added that beginning with the Fall 2015 semester, supplemental syllabi were distributed to students that included the names and contact information of the clinical instructors in those courses. Regarding Item F. 4, above, the former Program Administrator acknowledged that Christine Cook's record did not include her official academic transcript.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **BRYANT AND STRATTON BSN** knowingly and voluntarily agrees with the Board to the following terms, conditions, and limitations: The Board denies full approval status to **BRYANT AND STRATTON BSN** and **BRYANT AND STRATTON BSN's** conditional approval status is hereby continued until March 9, 2017, at which time its status will be reviewed by the Board pursuant to Section 4723.06(A)(6), ORC, subject to the following terms and conditions:

1. **BRYANT AND STRATTON BSN** shall, no later than **March 30, 2016**, designate a registered nurse to replace the former program administrator or to serve as an interim program administrator, in accordance with Rule 4723-5-09(D)(1)(b).
2. **BRYANT AND STRATTON BSN** shall not expand its program to any other locations prior to March 9, 2017.
3. **BRYANT AND STRATTON BSN** shall not make any change in its curriculum without advance approval by the Board or its designee.
4. **BRYANT AND STRATTON BSN** shall submit the reports and documentation required by this Consent Agreement or any other documents required by the Board in order to determine the program's compliance with Chapter 4723-5, OAC, to the attention of the Education Unit, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus, OH 43215-7410.
5. **BRYANT AND STRATTON BSN** shall verify, within ten days of submission, that the reports and documentation required by this Consent Agreement are received in the Board office.
6. In addition to the requirements set forth in Rule 4723-5-09, OAC, **BRYANT AND STRATTON BSN** shall inform the Board within ten (10) business days, in writing, of any change in its administrator.
7. At least one (1) survey visit of **BRYANT AND STRATTON BSN** will be conducted, in accordance with Rule 4723-5-06, OAC, prior to the Board's consideration of **BRYANT AND STRATTON BSN's** approval status at the March 2017 Board meeting. **BRYANT AND STRATTON BSN**

acknowledges that representatives from the Board may conduct announced or unannounced survey visits, including, but not limited to, auditing student records, faculty and teaching assistant records, and contracts, to determine if **BRYANT AND STRATTON BSN** is complying with the terms and conditions of this Consent Agreement in addition to meeting and maintaining the requirements of Chapter 4723-5, OAC. **BRYANT AND STRATTON BSN** agrees to cooperate with all survey visits and ensure that all materials are timely made available to the Board or its representative.

8. **BRYANT AND STRATTON BSN**, through its administrator, shall submit written progress reports to the Board on or before the following dates: **April 18, 2016; July 18, 2016; October 18, 2016; and December 16, 2016**. These progress reports shall address **BRYANT AND STRATTON BSN**'s progress in meeting the terms and conditions of this Consent Agreement, in addition to complying with the requirements of Chapter 4723-5, OAC.
9. **Within thirty (30) days of any change regarding any cooperating entity** (including changes involving any separate division within the same entity, facilities utilized for student clinical experiences, or termination of any existing agreement or the acquisition of any new affiliation agreement), **BRYANT AND STRATTON BSN** will report such change and provide documentation of the termination or new agreement to the Board.
10. **By April 18, 2016, BRYANT AND STRATTON BSN** shall submit to the Board, for review and approval, a draft notification to every facility with whom it has an affiliation agreement securing clinical experiences for its students, in accordance with Rule 4723-5-17, OAC. The notification shall inform the facility that **BRYANT AND STRATTON BSN**'s conditional approval status is subject to the terms and conditions of this Consent Agreement and that this Consent Agreement is available on the Board's website or will be provided by **BRYANT AND STRATTON BSN** upon the facility's request. **Within thirty (30) days of receiving Board approval of the notification, BRYANT AND STRATTON BSN** shall provide the notification to every facility with whom it has an affiliation agreement. Further, **within thirty (30) days of providing the notification to every facility, BRYANT AND STRATTON BSN** shall submit documentation to the Board identifying each facility that has received the Board-approved notification; identifying each facility that requested a complete copy of this Consent Agreement; and attesting that, when requested, **BRYANT AND STRATTON BSN** has provided a complete copy of this Consent Agreement to the requestor.
11. **BRYANT AND STRATTON BSN** is under a continuing duty to provide notification and, upon request, a complete copy of this Consent Agreement

to any new facility providing clinical experiences for its students, in accordance with Rule 4723-5-17, OAC.

12. **By April 18, 2016, BRYANT AND STRATTON BSN** shall provide a copy of this Consent Agreement to all licensed nurses who are teaching nursing courses at **BRYANT AND STRATTON BSN** as faculty or as teaching assistants. **By May 18, 2016, BRYANT AND STRATTON BSN** shall submit documentation to the Board signed by all licensed nurses who are teaching nursing courses at **BRYANT AND STRATTON BSN** as faculty or as teaching assistants to verify that they received a copy of this Consent Agreement. A typed roster will also be provided to the Board listing the names of each faculty member or teaching assistant who has signed the verification.
13. **BRYANT AND STRATTON BSN** is under a continuing duty to provide a copy of this Consent Agreement to any new faculty members or teaching assistants.
14. **By April 18, 2016, BRYANT AND STRATTON BSN** shall provide written notification to all students that a copy of this Consent Agreement is available upon request. Such notification shall be displayed in a prominent manner in a common area, such as a student bulletin board. Upon request from a student, **BRYANT AND STRATTON BSN** shall provide a copy of this Consent Agreement to the student. Further, **by May 18, 2016, BRYANT AND STRATTON BSN** shall submit documentation to the Board explaining when and how it provided written notification to all students and attesting that, when requested, **BRYANT AND STRATTON BSN** has provided a copy of this Consent Agreement.
15. **BRYANT AND STRATTON BSN** is under a continuing duty to provide written notification to all new students that a copy of this Consent Agreement is available upon request.
16. **BRYANT AND STRATTON BSN**, its administrator and its other employees or agents shall not submit or cause to be submitted any false, misleading, or deceptive statements, information, or documentation to the Board, to **BRYANT AND STRATTON BSN's** students or applicants for admission, or to facilities with whom **BRYANT AND STRATTON BSN** contracts for student clinical experiences.

FAILURE TO COMPLY

BRYANT AND STRATTON BSN agrees that its conditional approval status will be considered at the March 2017 Board meeting, at which time the Board may grant or deny full approval status. If it appears that **BRYANT AND STRATTON BSN** has violated or breached any terms or conditions of the Consent Agreement or failed to comply with

Chapter 4723 of the Ohio Revised Code (ORC) or any of the rules promulgated thereunder, prior to March 9, 2017, the Board may issue a Notice of Opportunity for Hearing and propose to withdraw **BRYANT AND STRATTON BSN's** conditional approval status. The Board reserves the right to take action based upon any and all possible violations or breaches, including, but not limited to, alleged violations of the laws of Ohio occurring before the effective date of this Consent Agreement.

DURATION/ MODIFICATION OF TERMS

The terms, limitations and conditions of this Consent Agreement may be modified or terminated in writing at any time upon the agreement of both **BRYANT AND STRATTON BSN** and the Board.

ACKNOWLEDGMENTS/LIABILITY RELEASE

BRYANT AND STRATTON BSN acknowledges that it has had an opportunity to ask questions concerning the terms of this Consent Agreement and that all questions asked have been answered in a satisfactory manner.

BRYANT AND STRATTON BSN waives all of its rights under Chapter 119., ORC, as they relate to matters that are the subject of this Consent Agreement.

BRYANT AND STRATTON BSN waives any and all claims or causes of action it may have against the Board, and its members, officers, employees and/or agents arising out of matters that are the subject of this Consent Agreement.

This Consent Agreement shall be considered a public record as that term is used in Section 149.43, ORC. The information contained herein may be reported to appropriate organizations, data banks and governmental bodies.

This Consent Agreement is not an adjudication order within the meaning Chapter 119., ORC. Any action initiated by the Board based on alleged violations of this Consent Agreement shall comply with the Administrative Procedures Act, Chapter 119., ORC.

BRYANT AND STRATTON BSN agrees that the Board is legally authorized under Section 4723.06(A)(6), ORC, and Rule 4723-5-04(B)(5), OAC, to enter this Consent Agreement with **BRYANT AND STRATTON BSN**, in lieu of a hearing under Chapter 119., ORC, in order to continue its conditional approval status, and waives any legal argument to the contrary.

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EFFECTIVE DATE

BRYANT AND STRATTON BSN understands that this Consent Agreement is subject to ratification by the Board prior to signature by the Board President and shall become effective upon the last date of signature below.

Lisa M Mason
LISA M. MASON
Campus Director, Parma Campus

3-7-16
DATE

Maryann W. Lyon MSN RN
MARYANN W. LYON, M.S.N., R.N.
President, Ohio Board of Nursing

3/17/16
DATE