



November 18, 2011

NOTICE OF OPPORTUNITY FOR HEARING

Erin Stout, MSN, RN
Program Administrator
Ohio American Health Care Inc.
Registered Nurse Program
2323 Lake Club Drive
Columbus, OH 43232

Dear Ms. Stout:

In accordance with Chapter 119, Ohio Revised Code (hereinafter "ORC"), you are hereby notified that the Ohio Board of Nursing (hereinafter "Board") proposes under authority of Section 4723.06(A)(6), ORC, to withdraw conditional approval and deny full approval status to Ohio American Health Care Inc. Registered Nurse Program ("Program") for the following reasons:

1. On or about September 8, 2011 the Board conducted an unannounced survey visit of the Program to review whether the Program was meeting and maintaining the standards for education programs established in Chapter 4723-5, Ohio Administrative Code (OAC), in accordance with Rule 4723-5-06, OAC. On or about October 3, 2011, the Board sent the Program a Survey Visit Report identifying standards not met and maintained. On or about October 25, 2011, the Board received a response to the Survey Visit Report. On November 17-18, 2011, the Board met and, having considered the Survey Report and the program's response, has determined that the following standards established in Chapter 4723-5, OAC, have not been met or maintained:
 - a. Despite being required by Rule 4723-5-12(A), OAC, the Administrator of the Program and faculty failed to establish and implement written policies for the following: (6) Payment of fees, expenses, and refunds associated with the program. The Board received the Program's policy titled "Nursing Transition LPN to RN Tuition/Fee Payment Schedule," in the Program's proposal submitted on November 13, 2009; and again in the Program's pre-survey visit report (PVR) signed and submitted to the Board on May 3, 2011. The policy was also published in the Program's 2009-2010 School Catalog. During the May 25, 2011, survey visit, the Program confirmed that the policy had been implemented from the time the

Program obtained the Board's Conditional approval and was in effect as of the date of that survey visit. During the September 8, 2011, survey visit, Board staff reviewed files for student rosters for the Program's Cohort 1, 2, and 3, a total of 58 students. The Nursing Transition LPN to RN Tuition/Fee Payment Schedule established the Program's tuition at \$12,340.00 and the fees at \$1,708.00 for a total of \$14,048.00. Despite the Program's published tuition of \$12,340.00, Students # 1-58 (*See Attached Student Key To Remain Confidential and Not Subject To Public Disclosure*) were charged \$16,500.00 for tuition. Despite the Program's published fees of \$1,708.00 the Program charged Students #1-22, and 25-42, \$2,020.00 in fees. Also, Students # 23, 24, and 44-58 were charged \$1,420.00 in fees. In addition Student # 43 was not charged for fees.

Section 4723.06(A)(6), ORC, requires that, for a prelicensure nursing education program that has been granted conditional approval by the Board, at the Board's first meeting after the first class has completed the program, 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 the results of the adjudication, the Board may continue or withdraw conditional approval, or grant full approval.

Accordingly, the Board is authorized to propose to deny full approval and withdraw conditional approval of the Program based upon its failure to meet and maintain the standards established in rules adopted under Section 4723.07, ORC.

In accordance with Chapter 119, ORC, you are hereby informed that the Program is entitled to a hearing in this matter. If the Program wishes to request such hearing, the request must be made in writing and must be received in the Board office within thirty (30) days of the time of mailing of this notice.

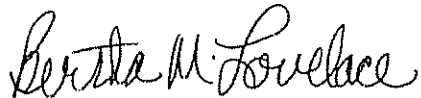
You are hereby further informed that, if the Program timely requests a hearing, Section 119.07, ORC, states that "at the hearing [the Program] may appear in person, by its attorney, or by such other representative as is permitted to practice before the [Board], or may present [its] position, arguments, or contentions in writing." At the hearing the Program may also present evidence and examine witnesses appearing for and against the Program.

Should you choose to request a hearing, please mail or deliver the request, in addition to any other correspondence regarding this matter, to **Lisa Ferguson-Ramos, Compliance Unit Manager, Ohio Board of Nursing, 17 South High Street, Suite 400, Columbus OH, 43215-7410, or to the email address, hearing@nursing.ohio.gov.**

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If the Board fails to receive a request for a hearing within thirty (30) days of the time of mailing of this notice, the Board may, in the Program's absence and upon consideration of the factual and legal allegations set forth in this Notice of Opportunity for Hearing, withdraw conditional approval and deny full approval status.

Sincerely,

A handwritten signature in cursive script that reads "Bertha M. Lovelace".

Bertha M. Lovelace, RN, CRNA, President

Certified Mail Receipt No. 7011 1150 0002 0937 1013

Attorney Certified Mail Receipt No. 7011 1150 0002 0937 1020

cc: Michelle T. Sutter, Assistant Attorney General
Elizabeth Y. Collis, Esq.