

STATUS OF CEASE AND DESIST ORDERS FROM THE TEXAS WORKFORCE COMMISSION REGARDING NURSING EDUCATION PROGRAMS

SUMMARY OF REQUEST:

This is an informational report regarding recent efforts of the Texas Board of Nursing (BON) and the Texas Workforce Commission (TWC), Career Schools and Colleges Department, to protect the public from fraudulent nursing educational programs.

HISTORICAL PERSPECTIVE:

- BON nursing consultants for education began receiving calls in September 2007 from students who thought they were attending Board approved nursing education programs that in fact were fraudulent, unapproved programs. Many of the students had friends or co-workers who are nurses and who thought that the schools appeared suspicious and advised the students to contact the Board.
- BON nursing consultants for education notified TWC staff who, under their statutory authority, began proceedings to impose cease and desist orders against the schools.
- To date, Board staff have participated in five hearings at TWC to determine if TWC should issue cease and desist orders against the fraudulent nursing schools.
- Pursuant to Texas Education Code Section 132.301, 303, upon a showing that a person is operating a career school or college without a certificate of approval or exemption issued by the Commission, the Commission may issue an order that requires the person to immediately cease and desist from the operation of that career school or college.
- The dates of the five hearings and the five schools involved include:
 - February 22, 2008, hearing held regarding Career Advanced, operating in Dallas, Texas.
 - February 29, 2008, hearing held regarding Esther Medical Tutorial and Nursing Review Center, operating in Richardson, Texas.
 - March 5, 2008, hearing held regarding IF Tech, operating in Carrollton, Texas.
 - March 7, 2008, hearing held regarding Merit Excellence Institute, operating in Carrollton, Texas.
 - March 28, 2008, hearing held regarding Vocational Training Educational Center or VTEC, operating in Irving, Texas and Doraville, Georgia.
- The Hearing Officer has ruled to uphold the cease and desist orders against Career Advanced, Esther Medical Tutorial and Nursing Review Center, IF Tech and Merit Excellence Institute.
- The outcome of the hearing regarding Vocational Training Education Center or VTEC is still pending, as the hearing was continued until April 25, 2008.
- Career Advanced has requested an appeal of the decision.

PROS AND CONS:

Pros:

- The Board's continued collaboration with TWC and other appropriate state agencies will ensure that prospective students and the public are informed about the status of nursing educational programs.
- These actions follow the current Board procedures to ensure that students must graduate from an approved program of study in order to be deemed eligible to take the NCLEX-RN® or NCLEX-PN® examination.
- These activities are consistent with the mission statement of the Texas Board of Nursing and the Texas Occupations Code Section 301.157 Programs of Study and Approval.

Cons:

None identified.

STAFF RECOMMENDATION:

This is an informational report. No Board action is required.