



Ohio Board of Nursing

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17 South High Street, Suite 400 • Columbus, Ohio 43215-7410 • (614) 466-3947

**CONSENT AGREEMENT
BETWEEN
AMERICAN INSTITUTE OF ALTERNATIVE MEDICINE
PRACTICAL NURSING PROGRAM
AND
OHIO BOARD OF NURSING**

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This Consent Agreement is entered into by and between **AMERICAN INSTITUTE OF ALTERNATIVE MEDICINE PRACTICAL NURSING PROGRAM (AIAM)** 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.

AIAM 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 curricula and standards for education programs of the schools of professional nursing and schools of practical nursing in this state. Section 4723.06(A)(5), ORC, authorizes the Board to survey, inspect, and grant full approval to prelicensure nursing education programs that meet the standards established in rules adopted under section 4723.07 of the Revised Code. Section 4723.06(A)(6), ORC, authorizes the Board to grant conditional approval, by a vote of the 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 grants conditional approval, at its first

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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. Section 4723.07(B), ORC, authorizes the Board to establish minimum curricula and standards for nursing education programs that prepare graduates to be licensed under this chapter and procedures for granting, renewing, and withdrawing approval of those programs. 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. **AIAM** was granted conditional approval by the Board effective September 24, 2009.
- C. **AIAM** currently operates as a career program located in Columbus, Ohio. **AIAM** is accredited by the Accrediting Commission of Career Schools and Colleges. **AIAM** is a for-profit Ohio corporation organized May 31, 1994.
- D. **AIAM** knowingly and voluntarily admits to the legal and factual allegations set forth in the Notice of Opportunity for Hearing issued to **AIAM** by the Board on January 21, 2011 (January 2011 Notice), *a copy of which is attached hereto and incorporated herein.*
- E. **AIAM** has presented evidence to the Board indicating that **AIAM** has remedied the issues discussed in the January 2011 Notice related to the clinical portion of the 1105 NRS IV Therapy course,
- F. **AIAM** agrees that the Board is authorized under law to enter this Consent Agreement with **AIAM**, in lieu of a hearing under Chapter 119., ORC, in order to continue its conditional approval status.

AGREED CONDITIONS

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any formal proceedings at this time, **AIAM** knowingly and voluntarily

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agrees with the Board to the following terms, conditions, and limitations: **AIAM is hereby granted full approval status until May 17, 2013**, at which time its status will be reviewed by the Board pursuant to Rule 4723-5-04(A), OAC, subject to the following terms and conditions:

1. **AIAM**, through its administrator, shall provide written progress reports to the Board on or before the following dates: **September 1, 2011; December 5, 2011; March 5, 2012; June 4, 2012; September 4, 2012; December 3, 2012; March 4, 2013**. The progress reports shall address how the program is progressing toward obtaining student clinical experiences, and otherwise meeting the terms and conditions of this Consent Agreement, in addition to complying with the requirements of Chapter 4723-5, OAC.
2. **AIAM** is hereby fined **five hundred dollars (\$500.00)**. By **November 1, 2011**, **AIAM** shall pay the fine of five hundred dollars (\$500.00), by certified check, cashier check, or money order, made payable to the "Treasurer, State of Ohio," to the Board.
3. A survey visit of **AIAM** will be conducted, in accordance with Rule 4723-5-06, OAC, prior to the Board's consideration of **AIAM's** program approval status at the May 2013 Board meeting.
4. **AIAM**, 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 **AIAM's** students or applicants for admission, or to facilities with whom **AIAM** contracts for student clinical experiences.
5. **AIAM** 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.
6. **AIAM** shall verify that the reports and documentation required by this Consent Agreement are received in the Board office.
7. In addition to the requirements set forth in Rule 4723-5-09 (D)(1), OAC, **AIAM** shall inform the Board within ten (10) business days, in writing, of any change in its administrator.

8. In addition to the requirements set forth in this Agreement, **AIAM** shall comply with all of the requirements established in Chapter 4723., ORC, and Chapter 4723-5, OAC, for nursing education programs.

FAILURE TO COMPLY

AIAM agrees that its approval status will be considered at the May 16-17, 2013 Board meeting, at which time the Board may continue **AIAM**'s full approval status, or place **AIAM** on provisional approval status. If it appears that **AIAM** has violated or breached any terms or conditions of the Consent Agreement prior to May 17, 2013, the Board may place **AIAM** on provisional approval status, without providing an adjudication, in accordance with Rule 4723-5-04(B)(2). 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 **AIAM** and the Board.

ACKNOWLEDGMENTS/LIABILITY RELEASE

AIAM 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.

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

AIAM 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. **AIAM** agrees that the Board is legally authorized under Section 4723.06(A)(6), ORC, to enter this Consent Agreement with **AIAM**, in lieu of a hearing under Chapter 119., ORC,

