



# COMMONWEALTH of VIRGINIA

Arne W. Owens  
Director

## Department of Health Professions

Perimeter Center  
9960 Mayland Drive, Suite 300  
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PHONE (804) 367-4400

Virginia Board of Nursing  
Jay P. Douglas, MSM, RN, CSAC, FRE  
Executive Director

Board of Nursing (804) 367-4515  
[www.dhp.virginia.gov/Boards/Nursing](http://www.dhp.virginia.gov/Boards/Nursing)

September 21, 2023

Amanda Hyde, PhD, MSML, RN, BSN  
Dean of Nursing  
Fortis College  
2000 Westmoreland Drive, Suite A  
Richmond, VA 23230



**RE: Case Number 223941**

Dear Dr. Amanda Hyde:

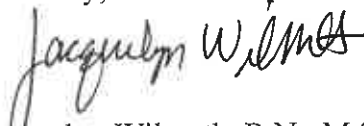
The recommendation made by the Education Special Conference Committee following your informal conference was presented to the Board of Nursing ("Board") on September 12, 2023. The recommendation was accepted, and enclosed is a certified true copy of the Order issued by the Board.

If you object to this Order and desire a formal hearing before the Board, a written request must be received by the Board **within 33 days from the date of service of the Order**. If no written request is received by that time, this Order will be final.

In order to monitor your compliance with the terms and conditions of the Order, this matter will be forwarded to Charlette Ridout, staff for the Board of Nursing. Please direct all questions, documents, and correspondence related to your compliance with the Order to Ms. Ridout at (804) 597-4223, or by email to [Charlette.Ridout@dhp.virginia.gov](mailto:Charlette.Ridout@dhp.virginia.gov), Board of Nursing, Perimeter Center, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233-1463.

If you have any questions regarding this matter, please contact Jacquelyn Wilmoth at (804) 367-4527 or [Jacquelyn.Wilmoth@dhp.virginia.gov](mailto:Jacquelyn.Wilmoth@dhp.virginia.gov).

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn Wilmoth". The signature is written in a cursive style with a large, stylized "W" and "M".

Jacquelyn Wilmoth, R.N., M.S.N.  
Deputy Executive Director  
Virginia Board of Nursing

cc: Julia Bennett, Deputy Director, Administrative Proceedings Division  
Grace Stewart, Adjudication Specialist  
Charlette Ridout, RN, MS, CNE, Board of Nursing Staff  
Tukesha Bradby, Compliance Support  
Tonya James, Compliance Case Manager  
Ann Hardy, Compliance and Case Adjudication Manager  
Arne W. Owens, Director, Department of Health Professions  
Elaine Foster, PhD, MSN, RN, VP of Nursing  
Barry Brooks, PhD, Campus President  
Peter Blake, Director, SCHEV

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: FORTIS COLLEGE, RICHMOND  
ASSOCIATE DEGREE NURSING EDUCATION PROGRAM  
Program Code: US25408900  
Case Number: 223941**

**RATIFICATION AND ORDER**

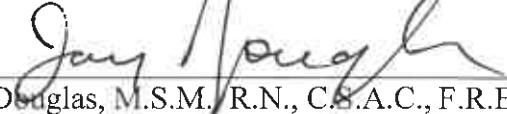
On September 12, 2023, the Board met to receive and act upon the Recommended Decision of the Education Special Conference Committee (“Committee”). Fortis College, Richmond Associate Degree Nursing Education Program (“Respondent”), was present and was not represented by legal counsel.

In consideration whereof, the Board of Nursing ACCEPTS the attached Recommended Findings of Fact and Conclusions of Law of the Committee and ADOPTS the Recommended Order in its entirety.

Pursuant to Virginia Code § 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.

Pursuant to Virginia Code § 54.1-2400(10), Respondent may, not later than 5:00 p.m., on October 24, 2023, request a formal administrative hearing before the Board by notifying Jay Douglas, Executive Director, Board of Nursing, 9960 Mayland Drive, Suite 300, Henrico, Virginia 23233. Upon the filing with the Executive Director of a request for the hearing, this Order shall be vacated.

FOR THE BOARD

  
\_\_\_\_\_  
Jay Douglas, M.S.M., R.N., C.S.A.C., F.R.E.  
Executive Director  
Virginia Board of Nursing

ENTERED AND MAILED ON:

September 21, 2023

This Order shall become final on October 24, 2023, unless a request for a formal administrative hearing is received as described above.

**BEFORE THE VIRGINIA BOARD OF NURSING**

**IN RE: FORTIS COLLEGE, RICHMOND  
ASSOCIATE DEGREE NURSING EDUCATION PROGRAM  
Program Code: US25408900  
Case Number: 223941**

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**REPORT AND RECOMMENDATION OF THE EDUCATION SPECIAL CONFERENCE  
COMMITTEE**

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**Jurisdiction and Procedural History**

Pursuant to Virginia Code §§ 2.2-4019 and 54.1-2400(10), the Education Special Conference Committee (“Committee”) of the Virginia Board of Nursing (“Board”), held an informal conference on August 22, 2023 in Henrico County, Virginia, to inquire into evidence that Fortis College, Richmond Associate Degree Nursing Education Program (“Respondent”), may have violated certain laws and regulations governing the operation of associate degree nursing education programs in the Commonwealth of Virginia.

Present at this proceeding on behalf of Respondent were: Amanda Hyde, PhD, MSN, BSN, RN, Dean of Nursing; Elaine Foster, PhD, MSN, RN, Vice President of Nursing; and Barry Brooks, PhD, Campus President.

Upon consideration of the evidence, the Committee makes the following Findings of Fact and Conclusions of Law and recommends that the Board adopt the following Order.

**Recommended Findings of Fact and Conclusions of Law**

1. Fortis College, Richmond Associate Degree Nursing Education Program (“Respondent”), was granted approval to operate an associate degree nursing education program on March 17, 2015.
2. By Order of the Board entered July 21, 2021 (“2021 Board Order”), Respondent’s approval to operate an associate degree nursing education program in Virginia was withdrawn, primarily

due to low passage rates for first-time test takers of the NCLEX-RN (“NCLEX passage rate”) for four consecutive years, from 2017 to 2020. The Board also found that Respondent failed to orient all faculty at their clinical sites and that Respondent had failed to publish its NCLEX passage rate appropriately. The withdrawal of Respondent’s approval was stayed, and Respondent was allowed to continue on conditional approval status, contingent upon Respondent’s compliance with certain terms and conditions, including achieving an NCLEX passage rate above 80% for 2021 and 2022, as well as publishing its conditional approval status.

3. Respondent violated 18 VAC 90-27-210(a) of the Regulations for Nursing Education Programs (“Regulations”) and Term Number 2(b) of the 2021 Board Order in that its NCLEX passage rates in 2021 and 2022 were below 80%. Specifically, its 2021 passage rate was 51.5%. Its passage rate for 2022 was 70.0%.

4. Respondent violated Term Number 5 of the 2021 Board Order in that, as of December 14, 2022, the student handbook did not reflect that Respondent was on conditional approval status.

5. At the informal conference, Respondent’s representatives stated that based on the NCLEX passage rate so far for 2023, and the number of students remaining to take the NCLEX exam, that Respondent would be unable to achieve an NCLEX passage rate of above 80% for 2023.

6. Respondent’s representatives acknowledged a lack of previous leadership stability; Respondent hired a new Dean of Nursing three weeks prior to the informal conference.

7. Respondent’s representatives described numerous variables that have contributed to challenges related to faculty support, mentorship, and training.

8. Respondent’s representatives were candid, thorough, and forthcoming at the informal conference in describing the obstacles Respondent faced in raising NCLEX passage rates. Respondent

invested significant resources to try to increase NCLEX passage rates to above 80%; however, these efforts were unsuccessful.

### **Recommended Order**

Based on the foregoing Findings of Fact and Conclusions of Law, the Committee recommends that the Board issue an Order as follows:

1. The approval of Fortis College, Richmond Associate Degree Nursing Education Program (“Respondent”) to operate an associate degree nursing education program is WITHDRAWN.
2. The program shall be closed no later than October 31, 2024.
3. Respondent shall halt admission of new students immediately.
4. Within 60 days of the date of entry of this Order, Respondent shall:
  - a. Provide a copy of this Order to all current students, to all faculty members, and to the program’s advisory board;
  - b. Publish this Order on its website; and
  - c. Update all publications and promotional materials to reflect that Respondent’s approval has been withdrawn effective October 31, 2024.
5. Pursuant to 18 VAC 90-27-240(B) of the Regulations, Respondent shall provide to the Board a list of the names of any students who have transferred to approved programs and the date on which the last student was transferred no later than October 31, 2024.
6. Pursuant to 18 VAC 90-27-240(C) of the Regulations, Respondent shall inform the Board of the arrangements made to safeguard the records of students and graduates, and if the governing institution ceases to exist, the academic transcript of each student and graduate shall be transferred by the institution to the Board for safekeeping no later than October 31, 2024.

7. Pursuant to 18 VAC 90-27-240(B)(3) of the Regulations, Respondent shall provide quarterly reports to the Board regarding progress toward closure. The reports shall be submitted on a quarterly basis to the Board, with the first report due no later than 60 days from the date of entry of the Order and subsequent reports due the first Monday of January, April, July, and October.

Reviewed and approved  
By Yvette Dorsey, DNP, RN  
Chair, Education Conference Special Committee