



*Accreditation Review Commission on Education
for the Physician Assistant, Inc.*

July 19, 2019

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Re: Notice of Adverse Action

Dear Dr. Villanueva:

This letter will serve as formal notice of two decisions of the Accreditation Review Commission on Education for the Physician Assistant, Inc. ("ARC-PA" or the "Commission") regarding the **Samuel Merritt University Physician Assistant Program ("PA Program" or the "Program")**. First, the ARC-PA has placed the PA Program on **Accreditation-Probation** status. Second, the ARC-PA has not approved the expansion of the Program to the distant campus in Fresno, California. In this letter, I will set forth the bases for these decisions.

1. Placement of the Program on Accreditation-Probation Status

The decision to place the Program on Accreditation-Probation status was based on the information contained in the Program's application and all appendices submitted to the ARC-PA, the report of the site visit team, the Program's response to the site visit team's findings, and the Program's accreditation history.

As defined in the ARC-PA Policies, probation is a status of temporary accreditation - limited to two years. It is conferred when a program holding an accreditation status of "Accreditation-Provisional" or "Accreditation-Continued" does not meet the Accreditation Standards for Physician Assistant Education (4th edition) (the "*Standards*"), and the ARC-PA concludes that the capacity of the program to provide an acceptable educational experience for its students is threatened. Once placed on probation, a program that fails to comply with accreditation requirements in a timely manner, as specified by the ARC-PA, risks having its accreditation withdrawn.

Collaborating Organizations: American Academy of Family Physicians • American Academy of Pediatrics • American Academy of Physician Assistants • American College of Physicians • American College of Surgeons • American Medical Association • Physician Assistant Education Association

Member: Association of Specialized and Professional Accreditors (ASPA)

Recognized by: Council for Higher Education Accreditation (CHEA)

The PA Program did not demonstrate compliance with several standards, as explained in further detail in the enclosed Citations document. In particular, the PA Program was found to be deficient in the following respects:

- Failure to provide factually accurate evidence of success in meeting Program goals
- Failure to provide evidence that the Program's admission process did not favor specified individuals or groups and that the Program made admission decisions in accordance with clearly defined and published practices
- Failure to provide evidence to support compliance related to clinical curricular planning and assessment for the Program's supervised clinical practice experience learning outcomes across multiple standards
- Failure to present a compelling reason, acceptable to the Commission, for use of physicians who are not specialty board certified in their area of instruction and for use of PA preceptors teamed with physicians who are not specialty board certified in their area of instruction
- Failure to present a compelling reason, acceptable to the Commission, for the use of preceptors who are not practicing in behavioral and mental health care for supervised clinical practice experiences
- Failure to document compliance with the Program's submitted self-study report that addressed results of critical analysis from ongoing self-assessment, faculty evaluation of the curricular and administrative aspects of the program, modifications that occurred as a result of self-assessment, and self-identified program strengths and areas in need of improvement
- Failure to use an appropriate student knowledge assessment tool for the Program's summative evaluation process
- Failure to submit reports or documents as required by ARC-PA

More generally, the ARC-PA noted **seventeen (17)** areas of non-compliance with the *Standards*, as described in further detail in the enclosed Citations document. That document includes information on reports due to the ARC-PA.

If an appeal is not initiated, the Program should respond to the citations as directed in the document. If an appeal is initiated, the Program will receive a revised or affirmed Citations document at the end of the appeal process with information regarding reports due to the ARC-PA.

A focused probation site visit will need to occur in advance of the **June 2021** Commission meeting. This visit will evaluate the PA Program and institutional progress in addressing specific citations identified during the course of the most recent commission review of the PA Program. The ARC-PA retains the right to meet with faculty and students or pursue other issues that may surface during the course of the visit that are relevant to the stability of the PA Program. The enclosed Citations document contains details about requirements for the focused visit as well as required reports. Additional information will be conveyed to the PA Program in writing prior to the visit.

Please note that the Program is currently approved to accept up to **44** students per class.

A program with the status of Accreditation-Probation is not eligible to request an increase in the maximum entering class size or expansion to a distant campus until it returns to the accreditation status of Accreditation-Continued. Further, the Program must maintain the status of Accreditation-Continued for five consecutive years before the ARC-PA will consider a request for an increase in maximum entering class size or expansion to a distant campus.

If the program wishes to appeal the ARC-PA's decision, it must send a written Notice of Appeal to me within ten (10) calendar days after the date of this letter. If a Notice of Appeal is not received by that time, this decision will become final and not subject to appeal. A copy of the relevant portion of ARC-PA's policy related to appeals procedures is attached for your information.

If an appeal is initiated: The listing of the program on the ARC-PA website will continue to reflect the pre-adverse action accreditation status of the program, pending the outcome of the appeal. The program should create its own appeal documentation as described in the attached Appeals Procedure document.

If an appeal is not initiated or if, upon appeal, the ARC-PA affirms its decision to place the program on Accreditation-Probation: The Program must notify students and applicants of its probation status and update the accreditation status on its website, using the language provided below, within two business days. Additionally, a detailed description of the process used to notify students and applicants of the probation status must be emailed to accreditationservices@arc-pa.org within 14 calendar days. The Program listing on the ARC-PA website will be revised to reflect the Program's probationary status.

To communicate the Program's accreditation status in all printed and electronic media, the Program and institution must replace any previous wording with the following statement **exactly** as it is written:

At its **June 2019** meeting, the Accreditation Review Commission on Education for the Physician Assistant, Inc. (ARC-PA) placed the **Samuel Merritt University Physician Assistant Program** sponsored by **Samuel Merritt University** on **Accreditation-Probation** status until its next review in **June 2021**.

Probation is a status of temporary accreditation conferred when a program does not meet the *Standards* and when the capacity of the program to provide an acceptable educational experience for its students is threatened.

Once placed on probation, a program that fails to comply with accreditation requirements in a timely manner, as specified by the ARC-PA, may be scheduled for a focused site visit and/or risk having its accreditation withdrawn.

Specific questions regarding the Program and its plans should be directed to the Program Director and/or the appropriate institutional official(s).

2. Denial of Request to Approve Expansion to Fresno, California

The ARC-PA also reviewed the Program's application for authorization to expand to a distant campus at Fresno – together with appendices to the application, the report of the site visit team, the Program's response to the site visit team's observations, and the Program's accreditation history.

The commission **does not approve** the expansion to the distant campus in Fresno, California for the Physician Assistant program.

To begin, as noted above, a program is not eligible to expand to a distant campus while on Accreditation-Probation status. In addition, however, the Commission noted citations across all areas of the standards with citations in standards from Section A: Administration, Section B: Curriculum and

Instruction, Section C: Evaluation and Section E: Accreditation Maintenance. Further, the Program has not provided evidence that it is applying ongoing program assessment to implement curricular modifications as clarified or identified in annotations by ARC-PA. For example, the Program did not provide evidence of learning outcomes for supervised clinical practice experiences across multiple standards (B3.02, B3.03a-d) as clarified by ARC-PA in March 2018 and utilized PACKRAT as part of the program's summative evaluation process (C3.04) even though its use is prohibited within the standard annotation.

This decision of the commission is not appealable. This decision is not appealable because denial of expansion to a distant campus does not affect the Program's accreditation status. As noted above, however, the placement of the Program on Accreditation-Probation status is appealable. If the Program appeals that decision and wins, it may reapply for expansion to the distant campus. If there is no appeal or if the Program does not prevail on appeal, the Program will not be eligible to apply for expansion to a distant campus until it has maintained the status of Accreditation-Continued for at least five years. Details about the application process are available on the ARC-PA website at http://www.arc-pa.org/continuing_acc/program_change_forms.html.

If you have questions or concerns, do not hesitate to contact us.

Sincerely,



Sharon Luke, MSHS, PA-C
Executive Director

c: Michael Negrete, PharmD; Assistant Academic Vice President; mnegrete@samuelmerritt.edu
Michael J. De Rosa, MPH, PhD, PA-C; Department Chair; mderosa@samuelmerritt.edu
Jack Bierig, JD; Legal Counsel, ARC-PA



Accreditation Review Commission on Education
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9.15 Accreditation Actions Subject to Appeal and Appeal Procedures

The following adverse actions by the ARC-PA are subject to appeal pursuant to the ARC-PA’s Appeal Procedures.

- refusal to consider a program for initial provisional accreditation
- withholding of accreditation
- assignment of probationary status
- withdrawal of accreditation

Any appeal must be based upon the time and the circumstances that triggered the ARC-PA adverse action (e.g., a reaccreditation commission review, provisional application, required report, etc.) and shall be based solely on the information contained in the documents upon which the decision was based. Descriptions of program changes made since that time will not be considered.

Programs receiving an adverse action are notified in writing of their right to appeal at the time of their accreditation status notification.

Appeal Procedure

Note: *In extenuating circumstances, the chair of the ARC-PA may adjust these procedures to insure a fair and impartial review.*

Appeals Fee

Reconsideration
\$5,000

Appeal before an Independent
Appeals Panel \$12,500
(In addition to other expenses as detailed
in the Appeals Procedure)

Accreditation Fees are to be mailed to:
Accreditation Review Commission on Education for the Physician Assistant, Inc.
Attn. Accreditation Services
12000 Findley Road, Suite 275
Johns Creek, GA 30097

Accreditation Status, Public Release

If the ARC-PA is requested or required to provide information to a third party regarding the accreditation status of a PA program that is pursuing the appeal process, the ARC-PA shall advise those inquiring that the program’s accreditation status remains as it was prior to the appeal.

A. Notice of Appeal

If a PA program wishes to appeal the ARC-PA’s adverse action, a written request for appeal must be received from the program by ARC-PA within **ten (10) calendar days** from the date of the written letter containing notice of the accreditation decision. The written Notice of Appeal along with payment of the Reconsideration Fee, which must include all documentation in support of the appeal, must be received by the ARC-PA Executive Director within **twenty (20) calendar days** from the date of the written request for appeal.

At a minimum, the Notice of Appeal is to include:

- A statement of the accreditation decision to be reviewed;
- A description of the modification or reversal sought by the program;
- A complete and concise description of any inaccurate, incomplete or erroneous fact(s), or incorrect interpretation of the **Standards**, on which the Program believes the decision was based;
- Pertinent detailed supporting documentation, and
- Any other relevant information the program wishes to have reviewed.

The Notice of Appeal must be no more than two hundred (200) pages total, using standard twelve (12) point font (Times New Roman or Calibri) and one (1) inch margins.

The program is to submit its written request for appeal and Notice of Appeal **electronically as an attachment to accreditationservices@arc-pa.org**.

If a written request for appeal is not received by the ARC-PA within ten (10) calendar days from the date of the letter notifying the institution and program of the adverse action, the initial adverse action by the ARC-PA shall constitute final action by the ARC-PA, effective immediately.

B. Reconsideration by a Review Panel

All Notices of Appeal are initially referred to a five-member Review Panel consisting of two members of the executive committee, one public commissioner of the ARC-PA and two other commissioners appointed by the ARC-PA Chair. The ARC-PA will not release the names of the individuals serving on the Review Panel.

No person shall be included on the Review Panel if he or she:

- participated in the site visit that triggered the adverse action;
- was assigned to review recent site visit findings, required reports or other ARC-PA findings regarding that PA program on behalf of the ARC-PA; or
- has a conflict of interest as determined under the ARC-PA Conflict of Interest Guidelines.

The Review Panel will be provided with the following materials, which shall constitute the Review Record:

- a complete file of all documents concerning the program that were available to the ARC-PA and upon which the ARC-PA relied in making the decision that is the subject of the appeal;
- a copy of the Letter of Accreditation notifying the institution/program of the adverse action; and
- the Notice of Appeal.

The Review Panel members will consider the materials independently before discussing the program during an in-person meeting or via telecommunication. The Review Panel members may consult with ARC-PA staff regarding ARC-PA policy issues during the course of its review.

C. Deliberation of the Review Panel

In developing its decision, the Review Panel will give consideration to the Notice of Appeal, the particular facts or **Standards** at issue, as well as the existing ARC-PA policies. The Review Panel shall determine whether the ARC-PA's action is supported by the evidence, and whether the action was taken in accordance with the ARC-PA's policies and procedures.

D. Reconsideration Decision and Report

The Review Panel shall make one of the following decisions:

- Affirm the initial adverse action; or
- Modify or reverse the initial adverse action.

The Review Panel shall forward a written report of its decision, and the reasons therefore, to the ARC-PA Executive Director. The program will be notified of the Review Panel decision by the ARC-PA Executive Director.

If the adverse action being reconsidered is related to probation or refusal to consider a program for accreditation, the decision of the Review Panel is final and the appeal process is complete. The program may not request a Formal Appeal hearing by the ARC-PA.

If the program remains dissatisfied with a decision relating to withdrawal of accreditation or withholding of accreditation, it may request a Formal Appeal hearing before the ARC-PA. The ARC-PA must receive a request for a Formal Appeal Hearing, in writing, within **ten (10) calendar days** from the date of the letter notifying the institution and program of the Review Panel decision.