

## SUPREME COURT OF THE STATE OF DELAWARE

# Adoni Health Institute v. Delaware Board of Nursing

No. No. 470, 2018, Supreme Court of the State of Delaware (April 29, 2019)

### SUMMARY

The Delaware Supreme Court affirmed the Superior Court's judgment upholding the Delaware Board of Nursing's withdrawal of Adoni Health Institute's approved nursing program status. The court declined to reach the Board's cross-appeal concerning an earlier Superior Court opinion because affirmance of the later judgment resolved the matter and the remaining issues were immaterial or moot.

### CASE DETAILS

|                       |                                                                                                                                                                                     |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of the State of Delaware                                                                                                                                              |
| WRITING FOR THE COURT | Leo E. Strine, Jr., Chief Justice; James T. Vaughn, Jr., Justice; Gary F. Seitz, Jr., Justice                                                                                       |
| JURISDICTION          | Delaware                                                                                                                                                                            |
| DECIDED               | April 29, 2019                                                                                                                                                                      |
| DOCKET                | No. 470, 2018                                                                                                                                                                       |
| DISPOSITION           | affirmed                                                                                                                                                                            |
| PROCEDURAL POSTURE    | Adoni appealed, and the Delaware Board of Nursing cross-appealed, from separate Superior Court opinions reviewing Board orders withdrawing Adoni's approved nursing-program status. |
| PRECEDENTIAL VALUE    | Published Delaware Supreme Court opinion                                                                                                                                            |
| PARTIES               | Adoni Health Institute v. Delaware Board of Nursing                                                                                                                                 |

### TOPICS

[administrative law](#) [judicial review of agency action](#) [appellate procedure](#) [mootness](#) [medical licensing](#)

### PRACTICE AREAS

[Administrative law](#) [Health law](#) [Appellate procedure](#)

### QUESTIONS PRESENTED

1. Whether the Superior Court properly affirmed the Board's September 13, 2017 order withdrawing Adoni's approved nursing-program status.
2. Whether the Supreme Court needed to address the Board's cross-appeal concerning the Superior Court's July 2016 opinion after affirming the later judgment upholding withdrawal of Adoni's approved status.

## HOLDINGS

1. The Superior Court's judgment affirming the Board's September 13, 2017 order withdrawing Adoni's approved nursing-program status is affirmed on the basis of the Superior Court's August 2018 opinion.
2. The Supreme Court declined to address the Board's cross-appeal because affirming the August 2018 Opinion already affirmed the withdrawal of Adoni's approved nursing-program status, and the cross-appeal presented issues that were immaterial and seemingly moot.

## KEY QUOTATIONS

*“As to Adoni’s appeal, we affirm the Superior Court’s judgment on the basis of the August 2018 Opinion affirming the Board’s order dated September 13, 2017.” (¶ 6)*

*“As to the Board’s cross-appeal, we find it unnecessary to address the Board’s contentions because our affirmance of the August 2018 Opinion will affirm the Board’s withdrawal of Adoni’s approved nursing program status anyway.” (¶ 7)*

## FACTUAL BACKGROUND

Adoni Health Institute, formerly known as Leads School of Technology Practical Nursing Program, had its approved nursing-program status withdrawn by the Delaware Board of Nursing. The Board determined that Adoni had misstated the length of its curriculum, and after remand the Board found that this deficiency alone justified withdrawal of the approved status.

## PROCEDURAL HISTORY

The Superior Court's July 2016 opinion reversed most of the Board's findings supporting withdrawal but upheld one deficiency and remanded for the Board to determine whether that deficiency alone justified withdrawal. On remand, the Board withdrew Adoni's approved status in a September 13, 2017 order. The Superior Court affirmed that order in its August 9, 2018 opinion. The Delaware Supreme Court affirmed the Superior Court's judgment and declined to address the Board's cross-appeal because the issues were immaterial to the result and seemingly moot.

## DISPOSITION

affirmed

## CASES CITED

- Leads Sch. of Tech. Practical Nursing Program v. Del. Bd. of Nursing, C.A. N15A-08-002 JAP, slip op. at 12–13 (Del. Super. Ct. July 29, 2016)

- Adoni Health Inst. v. Del. Bd. of Nursing, 2018 WL 3815047 (Del. Super. Ct. Aug. 9, 2018)

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