

Abandonment Statement

I. Purpose: To provide guidance to nurses (including Licensed Practical Nurses, Registered Nurses and Advanced Practice Registered Nurses) and Advanced Unlicensed Assistive Persons regarding situations that may constitute patient abandonment.

II. Definitions:

Patient Abandonment:

Patient abandonment may occur when a licensed nurse fails to provide the minimum standard of care to assigned patient(s) until the responsibility for care of the patient is assumed by another licensed nurse or an approved licensed health care provider. Patient safety is the key factor in determining the nurse's responsibility in a given situation. Please see III.B. *below* to differentiate patient abandonment from employee-employer issues.

III. Guidelines to specific situations that may constitute abandonment:

A. For Licensed Nurses and Advanced Unlicensed Assistive Persons, examples of abandonment may include but not be limited to:

1. Leaving the employment site during an assigned patient care shift after the nurse has come on duty and accepted the assignment of patient(s) for the shift without properly advising appropriate personnel;
2. Leaving an emergency patient care situation where that would be dangerous to the patient, based on the standard of actions of a reasonable, prudent nurse;
3. Inattention to, or leaving a patient in acute distress, without proper notification of supervisor and appropriate arrangements for continuity of care;
4. Sleeping while on duty without a supervisor's approval that is consistent with written institutional policy;
5. Insufficient observation (frequency of contact) of a patient;
6. Leaving without reporting to the oncoming shift;
7. Failing to report for an assignment where the nurse is the sole provider of care (e.g. private duty, home health/hospice care) and failing to notify his/her supervisor and/or employer.

B. For Licensed Nurses and Advanced Unlicensed Assistive Persons, situations considered by the Board not to constitute abandonment:

The following are examples of employment issues and are not considered by the Board to constitute patient abandonment:

1. Failure of a nurse to work beyond her/his scheduled shift;
 2. Refusal to work in an unfamiliar, specialized, or "high tech" area when there has been no orientation or educational preparation, or employment experience;
 3. Refusal to report to work;
 4. Failure to return from a scheduled leave of absence;
 5. Resigning from a position and not fulfilling the remaining posted work scheduled;
 6. Ending the employer-employee relationship without providing the employer with a period of time to obtain replacement staff for that specific position (such as resigning without notice);
- C. In addition to the examples in subsection A. *above* for the Advanced Practice Registered Nurse serving as the primary/specialty care provider for a patient, terminating the nurse-patient relationship without providing reasonable notification to the patient and resources for the patient regarding other health care providers may also constitute abandonment.
- D. Implications of abandonment for Advanced Practice Registered Nurses (Clinical Nurse Specialists, Certified Registered Nurse Anesthetists, Certified Nurse Midwives and Nurse Practitioners):
1. The legitimate discharge of a patient from practice, when the Advanced Practice Registered Nurse is that patient's primary or specialty provider, does not constitute patient abandonment. However, a patient who is receiving acute or immediate care should not be discharged until transferred to another appropriate licensed health care provider.
 2. A discharge from practice shall include:
 - a. Providing reasonable written notice that meets community standard and clearly states the date of termination of services and date of notice;
 - b. Information regarding how the patient may access his/her medical record;
 - c. Information regarding referral options for continuing care for the condition treated; and
 - d. Providing for currently authorized medications that have been prescribed by the Advanced Practice Registered Nurse to be available for a limited refill period.
- E. Providing appropriate and adequate personnel to care for patients is the responsibility of the employer.