

VERMONT STATE BOARD OF NURSING

ABANDONMENT POSITION STATEMENT

Question: Under what conditions does patient abandonment occur?

Definitions:

Nurse-Patient Relationship (or Caregiver-Patient Relationship)

A relationship that begins when an APRN, RN, LPN or LNA accepts responsibility for the care of a patient

Patient Abandonment

- Disengagement from the nurse-patient or caregiver-patient relationship without properly notifying appropriate personnel (for example, supervisor or employer) and/or making reasonable arrangements for continuation of care, or
- Failure to provide adequate patient care until the responsibility for care of the patient is assumed by another nurse, nursing assistant, or other approved provider. Patient safety is the key factor in determining the nurse or nursing assistant's responsibility in a given situation.

Background:

The nurse or caregiver-patient relationship is grounded in the patient's trust that the APRN/RN/LPN/LNA will act to protect the health, safety, and well-being of the patient. Patients are dependent and vulnerable due to illness, injury, disability, and immobility. Nurses and nursing assistants have a duty to protect the patient. Patient abandonment may place the patient at risk for harm.

Position Statement which Reflects Nurse's Roles and Responsibilities:

Patient abandonment may constitute unprofessional conduct, as defined in 3 V.S.A. § 129a (b):

- (1) Performance of unsafe or unacceptable patient or client care and
- (2) Failure to conform to the essential standards of acceptable and prevailing practice.

For abandonment to occur, the licensee must have first accepted a patient assignment or accepted responsibility for care of a patient. Before disengaging from the relationship or before becoming unavailable for patient care, the APRN/RN/LPN/LNA must notify appropriate personnel and transfer responsibility for patient care to another qualified person. For an APRN this involves transferring client records as well. Clear communication between licensees, colleagues, supervisors, and patients is essential to continuity of care and the safe transfer of responsibility.

Situations that may constitute abandonment include:

- Leaving the patient care area without transferring responsibility for patient care to an authorized person
- Remaining unavailable for patient care for a period of time such that patient care may be compromised due to lack of available qualified staff
- Inattention or insufficient observation or contact with a patient
- Sleeping while on duty without the approval of a supervisor in accordance with written facility policy
- Failing to timely notify a supervisor or employer if the licensee will not initiate or complete an assignment where the licensee is the sole provider of care

- For the APRN, terminating the nurse-patient relationship without providing reasonable notification to the patient and resources for continuity of care.

The following circumstances typically do NOT constitute patient abandonment (but may be considered employment abandonment by the employer):

- The licensee does not report for work and/or does not assume an assignment.
- The licensee refuses to accept an assignment to a unit when there has been no orientation and no educational preparation or where the work would be outside their scope of practice. (See Scope of Practice Position Statement)
- The licensee leaves an assignment after notifying the appropriate personnel and transferring responsibility for patient care.
- The licensee leaves an assignment due to circumstances that are perceived by the licensee as being life-threatening or placing the licensee in imminent danger of serious harm.
- The licensee refuses to work beyond his/her scheduled shift.
- The licensee resigns without giving specific notice.

References/Citations:

Oklahoma Board of Nursing, Abandonment Statement, 2013
Texas Board of Nursing, 15.6 Board Rules Associated with Alleged Patient "Abandonment," 2013

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Reviewed (Date)

This opinion is subject to change as changes in nursing practice occur.