

MISSOURI STATE BOARD OF NURSING POSITION STATEMENT PATIENT ABANDONMENT

The Missouri State Board of Nursing believes that the provisions in Chapter 335 and its regulations reflect the State's public policy that its licensed nurses have a duty to faithfully serve the best interests of their patients.

In order to address the many calls received by the Board from licensed nurses seeking guidance on how to protect their individual licenses and also carry out their duty to protect their patients, the Board hereby seeks to clarify some of the parameters of patient abandonment with this position statement. This position statement, however, is meant to be only a general guideline as to what may constitute patient abandonment from the Board's perspective, since any and all complaints alleging patient abandonment are considered on a case-by-case basis by the Board.

Patient abandonment may include, but is not limited to, the following scenarios:

- Leaving the place or area of employment during an assigned patient care time period without reasonable notice to the appropriate supervisor, so that arrangements can be made for continuation of nursing care by qualified others
- Leaving the workplace without adequately providing a patient status report to oncoming qualified personnel
- Leaving an emergency patient care situation that would be considered overtly dangerous based on the standard of actions of a similarly qualified reasonable and prudent licensed nurse
- Showing lack of competent attention to or leaving a patient in acute distress without proper notification of appropriate personnel and/or without making appropriate arrangements for continuation of nursing care
- Making inadequate patient contacts, assessments, or interventions either directly or indirectly through improper supervision of other nursing care providers
- Sleeping while on duty

Provision of qualified, appropriate, and adequate numbers of personnel to care for patients are the responsibility of the employer. The Missouri State Board of Nursing has no jurisdiction over employment related matters.

The Missouri State Board of Nursing considers the following scenarios to be some examples of employer-employee issues, which, therefore, do not generally constitute instances of patient abandonment to the Board:

- Failure to work beyond previously agreed upon work time period
- Refusal to work in an unfamiliar, specialized, or "high tech" patient care area when there has been no orientation, no educational preparation, or employment experience, without reasonable notice to the appropriate supervisor.
- Refusal to report to work
- Failure to call employer or arrive for assigned work time period
- Accumulation of "too many" days not worked
- Failure to return to work from a scheduled leave of absence
- Resignation from a position after completion of assigned patient care time period, such as an assigned shift, and not fulfilling the remaining posted work schedule
- Termination of employer-employee relationship, after completion of an assigned patient care time period, by licensed nurse employee without providing employer with a period of time to obtain replacement for that specific position, such as resigning without notice

Workplace Violence

Across the United States, health care workers have experienced various forms of workplace violence for years ranging from verbal abuse and bullying to actual physical assault. In more recent history, it seems that we have seen an increase in the use of firearms and explosive devices to cause the greatest harm. In order to provide protection for patients and staff, health care employers are developing policies and providing training/education in techniques for de-escalating potential violent conduct of patients, families/significant others, co-workers, visitors and intruders and how to respond to a sudden violent incident. Nurses need to pay attention to behaviors that may precipitate a violent event and report this activity to leadership, security or law enforcement, as appropriate. The Board encourages the nurse to follow facility/employer policy for reporting this conduct and if policies don't exist to work with leadership to develop them. In the situation of an active shooter, for example, nurses should be prepared to implement their facility policies and will need to respond to the situation based upon the set of circumstances before each employee. The Board believes that the nurse should take steps to protect the patients if there is time and using a method that does not jeopardize the nurse's personal safety or interfere with law enforcement personnel. As soon as it is determined safe, the nurse should promptly resume care of patients if able to do so.

Approved 12/4/2001

Revised 8/2007

Revised 11/2019

¹ The Missouri State Board of Nursing has adopted the following resolution passed by the National Council of State Boards of Nursing, Inc. (NCSBN) at its August 2001 Delegate Assembly:
NCSBN promotes safe and effective nursing practice in the interest of protecting public health and welfare. Therefore, National Council recognizes the professional responsibility of nurses to accept or decline overtime assignments based on their self-assessment of ability to provide safe care.