

TENNESSEE BOARD OF NURSING POSITION STATEMENT

RE PRACTICE: Abandonment of Patients

PURPOSE: The purpose of this statement is to protect the health and safety of the citizens of Tennessee.

AUTHORITY: Tennessee Code Annotated 63-7-115 a) (1) The board has the power to deny, revoke or suspend any certificate or license to practice nursing or to otherwise discipline a licensee upon proof that the person: (F) Is guilty of unprofessional conduct

Tennessee Board of Nursing Rules and Regulations for Registered Nurses 1000-1-.13 (c) (1) and Licensed professional Nurses 1000-2-.13 (c) (1) Unprofessional conduct, unfitness, or incompetency by reasons of negligence, habits or other causes, as those terms are used in the statute, is defined as, but not limited to, the following: (c) Abandoning or neglecting a patient requiring nursing care;

POSITION: Patient abandonment is unprofessional conduct and thus may subject a nurse's license to disciplinary action.

DEFINITIONS:

Patient abandonment is a term which is often used by health care regulatory agencies, employers of health care personnel, the nursing profession and the consumer. The Board believes that the term “**patient abandonment**” must be defined, and differentiated from “**employment abandonment**”.

For patient abandonment to occur, the nurse must:

- a) Have first accepted the patient assignment, thus establishing a nurse-patient relationship, and then
- b) Severed that nurse-patient relationship without giving reasonable notice to the appropriate person (e.g., supervisor, patient) so that arrangements can be made for continuation of nursing care by others.

A nurse-patient relationship begins when responsibility for nursing care of a patient is accepted by the nurse.

Recruiting and maintaining appropriate licensed staff is the responsibility of the facility. If at the close of a shift, the facility does not have the appropriately licensed staff to ensure the continuity of nursing care, then the employer shall make all reasonable attempts to obtain such staff. Failure of a nurse to work beyond her/his scheduled work shift will not constitute patient abandonment as defined by the Board. Also refusal to accept an assignment or a nurse-patient relationship and failure to notify the employing agency that the nurse will not appear to work an assigned shift is not considered patient abandonment by the TBN.

Failure of a licensed nurse to comply with a facility policy involving mandatory overtime, refusal to accept an assignment or a nurse patient relationship and failure to notify the employing agency the nurse will not appear to work is an employer-employee issue.

The Board believes that failure of the licensee to provide the employer with sufficient notice of intent to end the employment relationship does not constitute patient abandonment. However, the Board does encourage licensees to end their employment relationships in a professional manner.

The licensed nurse who follows the above policy statement will not be considered to have abandoned the patient for purposes of board disciplinary action. Again, it should be noted that the board has no jurisdiction over employment and contract issues.

Adapted from the California Board of Registered Nurses and Connecticut Board of Nursing.

Reformatted and Reaffirmed 02/2009

Reaffirmed 02/15/2012