KENTUCKY BOARD OF NURSING
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ADVISORY OPINION STATEMENT ON PATIENT ABANDONMENT BY NURSES

The Kentucky Board of Nursing has received multiple inquires seeking information on when a nurse may leave a patient assignment and not be in violation of the *Kentucky Nursing Laws.*

The terms "abandonment" and "patient abandonment" are not used in the *Kentucky Nursing Laws* (Kentucky Revised Statutes Chapter 314). However, a nurse whose behaviors are inconsistent with the safe practice of nursing may be charged with being in violation of KRS 314.091(1)(d) "...negligently or willfully acting in a manner inconsistent with the practice of nursing...."

As with all complaints received by the Board, each complaint is considered on a case-by-case basis. The specific facts of each situation are evaluated on an individual basis.

KRS 314.021(2) holds nurses individually responsible and accountable for rendering safe, effective nursing care to patients and for judgments exercised and actions taken in the course of providing care.

As a guide to nurses and employers, the Board advises that, in general, a nurse may leave a patient assignment **only** after:

1. Communicating the need to do so with the nurse's supervisor, and
2. Exhausting all reasonable and prudent efforts to place the care of the patients in another nurse's care.

While it is difficult to specifically state when abandonment occurs, it is clear that abandonment does not occur when a nurse who cannot practice with reasonable skill and safety leaves an assignment after fulfilling the two obligations stated above.

Nurses are generally employees "at will." There are employment at will issues that are not within the jurisdiction of the Board to address; such as, an employee "no call, no show" situation, and employee refusal to work "mandatory overtime" beyond the regularly scheduled number of hours.

Advisory opinion statements are issued by the Kentucky Board of Nursing as a guideline to licensees who wish to engage in safe nursing practice. As such, an opinion statement is not a regulation of the board and does not have the force and effect of law.

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