

Duty to Provide Care

Practice Standards set out requirements related to specific aspects of nurses' practice. They link with other standards, policies and bylaws of the College of Registered Nurses of British Columbia and all legislation relevant to nursing practice.

Nurses¹ have an obligation to provide safe, competent and ethical care to their clients. This requirement is set out in the College of Registered Nurses of British Columbia (CRNBC) *Standards of Practice*, the Canadian Nurses Association *Code of Ethics for Registered Nurses* and relevant legislation. Nurses may be considered negligent if they fail to meet their professional responsibilities in the provision of client care. Nonetheless, there are some circumstances in which it is acceptable for a nurse to withdraw from care provision or to refuse to provide care.

Employers have an obligation to provide the necessary resources and support to help nurses meet the Standards of Practice.

PRINCIPLES

- Nurses have a professional obligation and a legal duty to provide their clients with safe, competent and ethical care.
- Nurses do not abandon their clients. Abandonment occurs when the nurse has engaged with the client or has accepted an assignment and then discontinues care without:
 - negotiating a mutually acceptable withdrawal of service with the client; or
 - arranging for suitable alternative or replacement services; or
 - allowing the employer a reasonable opportunity for alternative or replacement services to be provided.
- Nurses may withdraw from care provision or refuse to provide care if they believe that providing care would place them or their clients at an unacceptable level of risk. In these situations, nurses use an ethical decision-making process and consider these factors:
 - The specific circumstances of the situation.
 - Their legal and professional obligations.
 - Their contractual obligations.
- Nurses do not provide care that is outside the scope of practice except:
 - in life-threatening emergencies; or
 - where a restricted activity has been formally delegated.

In emergency situations, nurses are ethically obligated to provide the best care they can, given the circumstances and their level of competence. In carrying out restricted activities

through delegation, nurses comply with CRNBC standards for delegation.

- Although informed, capable clients have the right to be independent, live at risk and direct their own care, nurses do not comply with client wishes when doing so would require action contrary to the law or CRNBC's Standards of Practice.

APPLYING THE PRINCIPLES TO PRACTICE

The client's right to safe, competent and ethical care is of paramount importance. In some situations, however, your individual rights and values may conflict with the client's right to receive care. Use an ethical decision-making process to determine the most appropriate course of action.

Nurses most often experience ethical dilemmas in meeting their obligations to provide care when they are faced with an unreasonable burden, personal danger, concerns about individual competence and conscientious objection.

Making Ethical Decisions

Determine the facts and identify the dilemma by:

- listing the things that affect your ability to provide safe, competent care;
- identifying situations in which your values conflict with the client's right to receive care;
- identifying the people involved; and
- articulating the ethical conflict.

Clarify the dilemma by:

- discussing it with other knowledgeable people (e.g., ethics committee, CRNBC practice consultant); and
- consulting various sources of information (e.g., Standards of Practice, *Code of Ethics for Registered Nurses*, relevant legislation, your collective agreement or employment contract).

Identify your options and develop a plan.

Implement the plan, evaluate the outcomes of your decision and amend it if necessary.

¹ "Nurse" refers to the following CRNBC registrants: registered nurses, nurse practitioners, licensed graduate nurses, student nurses.

Unreasonable Burden: An unreasonable burden exists when your ability to provide safe care and meet CRNBC's Standards of Practice is compromised by:

- unreasonable expectations,
- lack of resources, or
- ongoing threats to personal well-being.

When an unreasonable burden exists, do your best to meet the Standards while making your concerns known to your employer and, if necessary, your union and CRNBC. When you are asked to cope with an unreasonable burden, first assess your fitness to practise. If you decide that you do not have the necessary physical, psychological or emotional well-being to provide safe and competent care, you may withdraw from care provision or refuse to engage in care once you have given notice to your employer and allowed a reasonable opportunity² for alternative or replacement services to be arranged. If you are self-employed, give reasonable notice to your client and take reasonable action to ensure that alternative or replacement services are in place. In all likelihood, you will need to document situations involving unreasonable burden.

Personal Danger: While you are not entitled to abandon your clients, you are not obligated to place yourself in situations where care delivery would entail unreasonable danger to your personal safety. This includes situations involving:

- violence,
- communicable diseases, and
- physical or sexual abuse.

Under the Workers Compensation Act, employers have an obligation to provide a safe work environment, including a comprehensive program to eliminate or manage the risk for abuse or injury in the workplace. Collaborate with your employer to develop strategies that make the work environment a safe place to practise.

Individual Competence: You are expected to practise competently and to continually acquire new knowledge and skills in your areas of practice. You are not obligated, however, to provide care beyond your level of competence. If you are asked to do so, provide the care you are competent to give. Consider whether providing a part of the required care (i.e., the part you are competent to give) is more appropriate than not providing care at all. Inform your employer verbally and, if necessary, in writing that you do not have the competence to work in the specific situation.

Conscientious Objection: When a specific type of care conflicts with your moral or religious beliefs, you may arrange with your employer to refrain from providing the care. Personal biases or judgments

against the client or the client's lifestyle, however, are not grounds for conscientious objection. Make the conscientious objection known to your employer well before a client would require such care. If your conscientious objection cannot be accommodated, provide the care in question without allowing the objections to affect your care in any way.

Use Appendix 4 in CRNBC's *Professional Standards for Registered Nurses and Nurse Practitioners* to assist in resolving professional practice issues, including situations in which there is the potential for unsafe care.

In your workplace, advocate for and participate in the development of an environment that supports staff safety and well-being, and enables nurses to meet their professional responsibility to provide safe, competent and ethical care.

If you are a nurse administrator, educator or researcher, consider how to apply these principles to your work.

FOR MORE INFORMATION

CRNBC's [Standards of Practice](#) (Professional Standards, Practice Standards, Scope of Practice Standards) assist you in understanding important issues to consider in discussions about nursing practice. They are available online at www.crnbc.ca

For more information on this or any other practice issue, contact CRNBC's Practice Support Services at 604.736.7331 (ext. 332) or 1.800.565.6505.

CRNBC resources, including those listed below, are available online at www.crnbc.ca

[*Fitness to Practice*](#) (pub. 329)

[*Floating to Another Worksite. Can I Say No?*](#)

[*What is Client Abandonment?*](#)

[*Working with Limited Resources: Responsibilities of the Registered Nurse*](#) (pub. 404)

Other Resources

Canadian Nurses Association. (2008). [*Code of ethics for registered nurses*](#). Ottawa: Author. www.cna-aic.ca

Canadian Nurses Association. (2004). [*Everyday ethics: Putting the code into practice*](#). Ottawa: Author.

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2 What is reasonable in one context may not be reasonable in another. Reasonableness will vary depending on the specific circumstances of the situation and is established through discussion and consultation.