During a natural or human made disaster, including a communicable disease outbreak, nurses have a duty to provide care using appropriate safety precautions in accordance with legislation, regulations and guidelines provided by government, regulatory bodies, employers, unions and professional associations (A9).

While there is an expectation that registered nurses will provide care to the sick and absorb a certain amount of risk in doing so, there is not an expectation that registered nurses will place themselves at unnecessary risk during an emergency. There are situations in which it may be acceptable for registered nurses to withdraw or refuse care.

‘Unreasonable burden’ is a concept raised in relation to the duty to provide care and withdrawing from providing or refusing to provide care (CNA Code of Ethics, 2017). An unreasonable burden may exist when a nurse’s ability to provide safe care and meet professional standards of practice is compromised by unreasonable expectations, lack of resources, or ongoing threats to personal wellbeing (CRNBC, 2012). The American Nurses Association (2006) has identified the following criteria for registered nurses to consider in regards to their obligations to provide care in a disaster or emergency situation:

» the significance of the risk to the person in care if the nurse does not assist
» whether the nurse’s intervention is directly relevant to preventing harm
» whether the nurse’s care will probably prevent harm
» whether the benefit of the nurse’s intervention outweighs harms the nurse might incur and does not present more than an acceptable risk to the nurse (ANA, 2006).

If registered nurses determine they do not have the necessary competencies or physical, psychological or emotional well-being to provide safe and competent care, they may withdraw from the provision of care or refuse to provide care if they have given reasonable notice to their employer and appropriate action has been taken to replace them or resolve the issue.

The provision of professional nursing care does not, however, include working in situations where a registered nurse’s health is at risk because an employer has not provided adequate protective resources. A nurse who is considering refusing to provide care on the basis of a risk to their own health should be aware of the provisions of the Occupational Health and Safety Act that govern refusals to work and should consider seeking assistance from a union representative or the Canadian Nurses Protective Society.
In emergency circumstances, limits of care may need to be clearly defined. Resources that provide guidance to registered nurses and employers include the Standards of Practice for Registered Nurses, CNA Code of Ethics, general ethical principles, the Registered Nurses Act and other relevant legislation, contractual obligations, employers’ policies and public expectations.

In addition, the College has developed an Emergency Preparedness Plan (EPP) that provides further information on duty to provide care in the event of a disaster or emergency. The College plan provides direction in terms of the registering and licensing of registered nurses, professional practice support for registered nurses, and critical information for other key stakeholders. The College’s EPP also provides an ethical decision-making framework to assist registered nurses in emergency and disaster situations.

**Guidelines to Make Ethical Decisions During Emergency Situations**

Resolving dilemmas caused by conflicting obligations requires registered nurses to consider all relevant factors and to use an ethical decision-making process to reach the best decision in the given circumstance (CNO, 2009). It is important to consider that there may not be one best solution when faced with an ethical dilemma¹.

In these situations, registered nurses are accountable to work collaboratively with members of the health care team and employers to determine how nursing services can best be delivered in the interest of safe client care (CNO, 2009). Clear communication processes are integral to ensure that issues are resolved effectively and client care is not impacted (2009). These conversations should occur before the situation occurs to minimize disruption to client care.

**Underlying principles**

The following principles should guide the registered nurse’s decisions and actions when faced with situations in which s/he is considering refusing an assignment or discontinuing services (CNO, 2009):

- The safety and well-being of the client is of primary concern.
- Critical appraisal of the factors in any situation is the foundation of clinical decision-making and professional judgment.
- Nurses are accountable for their own actions and decisions and do not act solely on the direction of others.
- Nurses have the right to refuse assignments that they believe will subject them or their clients to an unacceptable level of risk, ensuring they have given reasonable notice to their employer and appropriate action has been taken to replace them or resolve the issue.
- Nurses are not required to work extra shifts or overtime for which they are not contracted (CNO, 2009).

**Employer Accountabilities during Emergency Situations**

In order to fulfill their duty to provide care, nurses have a right to receive accurate and complete information. They must also be supported in meeting their own health needs. Nurses’ employers have a reciprocal duty to protect and support nurses as well as to provide necessary and sufficient protective equipment and supplies that will “maximally minimize risk” to nurses and other healthcare providers (CNA Code of Ethics, 2017).

Employers are ultimately responsible for adequate staffing and ensuring that available resources and competencies of personnel are used efficiently. Nurses and employers have a responsibility to work together to ensure

¹ Ethical dilemmas arise when there are equally compelling reasons for and against two or more possible courses of action, and where choosing one course of action means that something else is relinquished or let go. An ethical dilemma is a particular type of ethical problem.
processes are in place for nurses to acquire and maintain competence. If an employee refuses to work for any reason, employers should explore this with the employee and respond appropriately to concerns.

Employers are accountable to provide registered nurses with:

» policies, procedures, and/or guidelines to assist employees in making decisions regarding duty to provide care

» sufficient staffing for safe, competent and ethical care

» orientation, education/training for nurses who are asked to work in unfamiliar areas

» accurate information that is needed to fulfill their accountabilities

» measures to protect the health and safety of employees, including adequate resources and protective devices.

Summary

Registered nurses have an obligation to provide clients with safe, competent, compassionate and ethical care. Emergency situations can create elevated environments of stress and as a registered nurse, it's important to be knowledgeable and clear about the obligations and expectations around the registered nurse role to provide care. This will help make quick yet informed decisions that are often needed during critical emergency situations.

To more fully understand the concept of abandonment, please access the Abandonment document online.