



Nursing Care Quality Assurance Commission

PO BOX 47864 • Olympia Washington 98504-7864

Tel: 360-236-4725 • Fax: 360-236-4738

Questions of Assignment

Questions from nurses, supervisors, employers, etc., frequently arise regarding delegation of assignments and refusal of assignments. “Floating” is frequently expressed as an area of concern. Nurses may feel incompetent to fill in on units with which they are unfamiliar (especially critical care units). Sometimes nurses are asked to take more responsibility than they feel competent to handle (i.e. being asked to be in charge of an unfamiliar unit).

Nurses may also feel that their assignment is “too heavy” and may be required to work overtime or double shifts when they feel mentally and/or physically fatigued. Nurses may be asked to do a specific task or procedure that they do not feel qualified to perform or that they believe is beyond their scope of practice. The situations that arise are many and varied. There are no clear-cut answers or solutions and the majority of these types of situations should be resolved through cooperative efforts of the parties involved at the employment setting.

There are, however, laws, rules and regulations that all nurses should be aware when trying to resolve this type of situation ([RCW 18.130.080](#), [WAC 246-840-710](#)). Unprofessional conduct is grounds for disciplinary action against a nursing license. Some of the grounds that relate specifically to assignments are:

- Failure to utilize appropriate judgment in administering safe nursing practice including failure to supervise those to whom nursing activities have been delegated.
- Incompetence, negligence or malpractice, which results in injury to a patient or which creates a risk that a patient may be harmed.
- Performing acts beyond the scope of practice for which the nurse is licensed.
- Performing nursing techniques or procedures for which the nurse lacks knowledge, experience, and education without instruction, supervision, and/or consultation.
- Delegating nursing care, functions, tasks or responsibilities to others who the nurse knows or has reason to know lacks the ability or knowledge to perform or delegating to unlicensed persons those functions or responsibilities, which are to be performed only by licensed persons.
- Leaving a patient care nursing assignment without notifying personnel so that reasonable arrangements for continuation of care can be made when continued nursing care is required by the condition of the patient.

At times, nurses are told by physicians, other nurses, or supervisors to “just follow orders and my license will cover you”. Nurses may also be threatened with job loss if they do not accept the assignment. The license of one person can never protect another licensee from potential disciplinary action if the licensee violates a law or any of the rules and regulations. Nor can another person’s license protect the nurse from potential civil and/or criminal liability.

All registered nurses are accountable to not delegate nursing care, functions, tasks, or responsibilities that are contrary to the law or to the detriment of patient safety. On the other hand, the nurse accepting an assignment is accountable to utilize appropriate judgment when accepting an assignment and to utilize technical competence when carrying out nursing care.

Nurses may be told that if they refuse an assignment they may lose their license for abandonment of the patients. Abandonment occurs **only** when the nurse willfully leaves an assignment he or she has accepted without transferring responsibilities to appropriate personnel. The consequences if a disciplinary action is taken against an individual’s license range from a letter of reprimand to license revocation, including probation, limitations, or a fine. At no time is revocation of one’s license an automatic consequence of disciplinary action. Nurses should always utilize appropriate judgment when considering the refusal of an assignment. A possible alternative to refusal would be to accept that part of the assignment that the nurse feels competent to perform and assist with those activities for which the nurse does not feel competent to accept total responsibility and accountability.

The laws and rules of the Nursing Practice Act are available on the Nursing Commission website at: <http://www.doh.wa.gov/hsqa/Professions/Nursing/laws.htm> . Or at <https://fortress.wa.gov/doh/hpqa1/HPS6/Nursing/default.htm> and click on “Laws” in the site directory. Also see practice information, the Scope of Practice Decision Tree, and position statements by the Nursing Commission by clicking on “Practice Information” in the site directory.

Taken from a previous newsletter (revised 7-10-08)