



## FAQ: COVID-19 & DUTY OF CARE

*Duty of care is the moral, ethical, legal and professional obligation that requires LPNs, RNs and NPs to adhere to a reasonable standard of care while providing, assigning, delegating, supervising, promoting, evaluating or advocating for care. Nursing professionals have a duty to provide care using appropriate safety precautions during a public health crisis, such as the COVID-19 pandemic. This FAQ was designed to help support nursing professionals in meeting their accountabilities regarding the duty of care during the COVID-19 pandemic. If you have further questions, please do not hesitate to contact your regulatory body: [ANBLPN](#) or [NANB](#).*

### **In preparing to accept clients with COVID-19, what is my duty to provide care?**

Nursing professionals have a duty to provide clients with safe, competent, compassionate and ethical care. When you accept employment as a nursing professional, the duty that is embedded in this obligation extends to all contexts, at all times, including during an emergency or disaster. You are expected to make your decision on the provision of care based on an analysis of all the data at hand. This includes understanding the needs of the client, your employer policies, being aware of what personal protective equipment (PPE) is recommended, and how to access and use this PPE. You should also determine the risk to the client should you refuse to provide care in addition to the risk to yourself should you decide to provide care.

When thinking about your duty to provide care, consider the following:

- You are accountable to make decisions that are in the best interest of clients and to protect them and yourself from harm.
- You are accountable and responsible for your actions, and inactions, at all times.
- You are not expected to expose yourself unnecessarily to risks.
- You are expected to protect your clients and yourself using appropriate resources and equipment.
- Discuss your concerns with your manager. Find out what information, training and supports are available for staff. It is your responsibility to participate in any required training offered by your employer.
- Review your employer's infection prevention and control guidelines and discuss the most appropriate measures to manage any risk. Make sure you know how to access and use PPE.

### **Can I refuse to work with a client who tested positive for COVID-19?**

When your professional obligation to a client conflicts with your personal obligations, you have an accountability to demonstrate leadership and determine the best possible solution while still making decisions in the client's best interest. Refusing assignments or choosing to discontinue care is an ethical dilemma without a clear answer.

Ultimately, you do have the right to refuse assignments that you believe will subject you or your clients to an unacceptable level of risk. However, you *also* have a professional responsibility and accountability to engage proactively with your employer, become informed and access the required education and training to ensure you have all available facts before considering refusal.

### **What constitutes an unreasonable burden?**

In rare circumstances, such as a global pandemic, an unreasonable burden may exist. An unreasonable burden occurs when nursing professionals are unable to provide care and meet their professional standards of practice due to unreasonable expectations, a lack of resources or ongoing threats to personal safety. If you feel an unreasonable burden exists, you should first attempt to improve the safety of the situation, such as bringing your concerns to the attention of the employer and working with them to obtain the appropriate PPE and isolation care environments. While you have the right to refuse to work in situations where you cannot manage or reasonably mitigate the risk, it is equally important to note that you are accountable to take every reasonable action to prevent withdrawal from care and abandoning clients.

### **What should I consider if I am re-assigned to an unfamiliar practice setting during the COVID-19 outbreak?**

As nursing professionals, you must ensure you have the knowledge, skill and judgement before performing any activity or procedure. There are elements of nursing knowledge and entry-level competencies that apply to all client groups and practice. You must practice within your level of competence; therefore, it is important to assess and communicate any practice limitations. While you may not be able to carry a full client assignment in the unfamiliar setting, there are many things you can do competently within your individual scope of practice to support the practice area. In some cases, you may need to recognize that your assignment may be to assist regular staff as they care for clients rather than caring for clients independently.

### **What are my accountabilities pertaining to social media during an outbreak?**

There are risks and benefits to posting on social media and it is essential to maintain public trust and confidence in nursing. Nursing professionals have an accountability to adhere to their Standards of Practice, Code of Ethics, employer policies and professional guidelines when it comes to social media use. Nursing professionals should refrain from posting information that is not evidence based as it could cause undue fear and anxiety in the public and perhaps with other nursing providers. For more information on your responsibilities related to social media, please review our joint [Social Media Guideline](#) and NANB's [Social Media Fact Sheet](#).

### **What is my employer's responsibility during the COVID-19 pandemic?**

Nursing professionals and employers assume the shared responsibility of working together to ensure that processes are in place in order to fulfill professional obligations. Employers are responsible for ensuring there is adequate staffing, education, resources, support and the necessary equipment to minimize the risk to nursing professionals. Nursing professionals are expected to absorb a certain amount of risk while providing care during a pandemic, however, they are not expected to provide care without taking action to protect themselves (i.e. access to PPE).

For more information on COVID-19, please consult [ANBLPN's webpage](#) or [NANB's webpage](#).

**Acknowledgement** Part of content comes from [ANBLPNs Duty of Care Guideline](#), Nova Scotia College of Nursing [COVID-19 information page](#) and College of Nurses of Ontario [COVID-19 information page](#). They granted permission to adapt their content.