



SOUTH DAKOTA BOARD OF NURSING

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Abandonment

The South Dakota Board of Nursing is authorized by the state of South Dakota, pursuant to SDCL 36-9-1.1, to safeguard life, health and the public welfare; and to protect citizens from unauthorized, unqualified and improper application of nursing practices.

The South Dakota Board of Nursing issues opinions as to what constitutes safe nursing practice. As such, an opinion is not a regulation of the Board and does not have the force and effect of law. An opinion is issued as a guideline to licensees who wish to engage in safe nursing practice, and to facilitate the delivery of safe, effective nursing care to the public.

Approval Date: April 2000

Editorial Revisions: December 2018, November 2024

The South Dakota Board of Nursing received numerous inquiries regarding which actions by a nurse constituted patient abandonment. The Board issued the following:

Statement

For patient abandonment to occur the nurse must have accepted the patient assignment, thus establishing a nurse-patient relationship, and then terminated that relationship without giving reasonable notice so that arrangements could be made for continuation of nursing care by others.

Once the nurse has accepted responsibility for the nursing care of a patient, severing of the nurse-patient relationship may lead to discipline of the nurse's license.

Not Considered Abandonment by the South Dakota Board of Nursing:

- Refusal to accept an assignment;
- Failure to notify employing agency that nurse will not appear to work an assigned shift; and
- Refusal to work additional hours or shifts.

The Board of Nursing has no jurisdiction over employment or contract issues.

Applicable South Dakota Laws

1. [SDCL 36-9-3. Practice of registered nurse](#)
2. [SDCL 36-9-4. Practice of licensed practical nurse](#)
3. [SDCL 36-9-49. Grounds for denial, revocation, or suspension of license or application](#)