REGULATORY DECISION TREE

Practice Site

Evaluate for System Failure

Were there significant circumstances involving the system which caused or contributed to the error?

Did the nurse play a role in the error?

- YES → Did the nurse conceal the error?
  - YES → Report to BON
  - NO → Are the stories from all involved consistent?
    - NO → Report to BON
    - YES → Is there a substance use disorder or medical condition which contributed to the error?
      - YES → Report to BON or Refer to Employee Assistance Program
      - NO → Was the nurse terminated?
        - YES → Report to BON
        - NO → Is there a history of other similar or serious errors by this nurse?
          - YES → Report to BON
          - NO → Counsel nurse, action plan for remediation

Board of Nursing

DELIBERATE HARM

Were the actions intended to deliberately harm the patient or did the nurse conceal the error or falsify records?

- YES → **Bad Intent**
  - Disciplinary action
  - Possible Law enforcement referral

  Notification to facility of any system errors uncovered during investigation
- NO → Evaluate for System Failure

ERROR

Evaluate for System Failure

Were there significant circumstances involving the system which contributed to the error?

- YES → Did the nurse play a role in the error?
  - YES → Did the nurse disregard or consciously take a substantial or unjustifiable risk?
  - NO → Facility should provide BON with action plan for system error and console the nurse.
- NO → Did the nurse disregard or consciously take a substantial or unjustifiable risk?
  - YES → **Reckless**
    - Disciplinary action
    - Required supervision /mentoring
    - Focused remediation

    Facility and nurse should collaborate to provide BON with action plan for system and nurse error
  - NO → Is there a history of other similar or serious errors by this nurse?
    - YES → Did the nurse previously receive remediation or counseling for a similar error?
      - YES → **Reckless**
      - NO → **At Risk**
        - Improved supervision /mentoring
        - Focused remediation
        - Possible reprimand

        Facility and nurse should collaborate to provide BON with action plan for system and nurse error
    - NO → Could a reasonably prudent nurse have done the same in similar circumstances?
      - NO → **At Risk**
      - YES → **Human Error**
        - Consider focused remediation if warranted

        Facility and nurse should collaborate to provide BON with action plan for system and nurse error