

NORTHERN NEVADA ADULT MENTAL HEALTH (NNAMHS)

POLICY AND PROCEDURE

SUBJECT: CONSCIENTIOUS CONFLICTS

NUMBER: NN-HR-12

ORIGINAL DATE: 06/08/95

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REVIEW/REVISE DATES: 11/19/98, 06/03/99, 10/02/03, 03/01/07, 2/18/10, 11/15/12

APPROVAL: Cody L. Phinney, Agency Director

I. PURPOSE

To establish a mechanism to address a staff member's request not to participate in an aspect of consumer care services provided through NNAMHS, including treatment, because of a perceived conflict with the staff member's personal values, culture, ethics and/or religious beliefs.

II. POLICY

Employees may request a transfer to a department or position in which conflict of care issues are less likely to occur. NNAMHS as a State of Nevada mental health facility has no objection to honoring a consumer's properly executed Advance Directive. However, staff members may conscientiously object, due to religious, moral, cultural, ethical, or any other reasons, to honoring a consumer's Advance Directive. If this is the case, pursuant to NRS 449.628, staff who cannot honor and/or treat the consumer shall take all reasonable steps as promptly as practical to transfer care to another health care facility or clinical staff who is willing to provide the needed care.

### III. PROCEDURE

It is understood that situations may arise in which the prescribed course of treatment or care for a consumer may be in conflict with personal values, ethics, or religious beliefs of a staff member. In such situations, it is the responsibility of the employee to immediately notify his/her supervisor or department manager of the specific aspects of care from which he/she is requesting to be excused and the effective dates of the request.

1. The requesting staff is responsible for providing appropriate consumer care until alternative arrangements can be made. Refusal to provide care will result in disciplinary action. In no circumstances will a request be granted if it is felt that doing so will compromise consumer care or create untenable burden on the agency.
2. The supervisor reviews the request and takes the following action to approve or deny the request:
  - A. Criteria to use for decision making include:
    - How will consumer care benefit?
    - How will consumer care be hindered?
    - Is this a personal, cultural, ethical, and/or religious conflict?
    - What other alternatives can be used to have the staff member continue to care for the consumer while respecting the staff member's view?
    - Are there staffing resources to support the request?
  - B. Decide the specific manner in which care and/or treatment could be delivered to the consumer.
  - C. Consult with Human Resources (Personnel) to ensure there would be no conflict with labor laws or Nevada Administrative Code.
  - D. Forwards the staff member's request as well as supervisory action to the Department Manager for review and action.

- E. May offer temporary reassignment of the staff with the understanding that this is only a temporary measure until the final decision is made by the Medical Staff Executive Committee.
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- 3. The Department Manager forwards all requests for accommodations in the delivery of consumer care as a result of an employee's personal values, culture, ethics and/or religious beliefs to the Medical Director or designee for final review.
  - 4. State of Nevada Grievance Policy does not apply to conflict of care issues.
  - 5. NNAMHS will attempt to make reasonable accommodations for all justified employee requests for exclusion from patient care or treatment resulting from a conflict with the staff member's personal, culture, values, ethics and/or religious beliefs.