

Covid-19

----- Guidance for practices



Reviewed: 14.5.2020

Covid-19 Processes concerning death of patients

Verification of death

- Visiting to confirming life extinct

- Whilst there is no obligation or requirement for a medical practitioner to verify the death of a patient (or *confirm life extinct* as it is sometimes termed), it has been *custom and practice* to do so (particularly in the out of hours setting).
- The BMA have previously opined on this issue and whilst some of this guidance has been superseded by the Coronavirus Act (2020), the guidance relating to *confirming life extinct* remains relevant.
- The guidance can be found at the following [link](#) and it states (the emphasis is added):

*(English Law) **does not require a doctor to confirm death has occurred or that “life is extinct”.***

- Furthermore, under the heading *Expected deaths*, the guidance states (the emphasis is added):

*If an “on-call” doctor is on duty, whether in or out of hours, **it is unlikely that any useful purpose will be served by that doctor attending the nursing or residential home.** In such cases we recommend that the GP advises the home to contact the undertaker if they wish the body to be removed and ensures that the GP with whom the patient was registered is notified as soon as practicable.*

- The [CQC](#) have stated as follows in relation to care home deaths (the emphasis is added):

*The general agreement has been that, in cases like this, **any competent adult can confirm death.** We expect a competent adult to be an individual with the knowledge, skills and competencies required to be able to confirm death. **Therefore a doctor does not need to confirm an expected death in a care home.***

- The government have produced [guidance on verifying death in times of emergency](#).
In brief the guidance states that verification of death should be performed by professionals trained to do so in line with their employers’ policies (for example medical practitioners, registered nurses or paramedics) or by others with remote clinical support under the explanation that non-medical professionals should not experience any pressure to verify deaths.

Covid-19

----- Guidance for practices



- In the current climate and with consideration to the [Changes to Death Certification](#) introduced by the [Coronavirus Act \(2020\)](#) it is unlikely that attending to confirm life extinct will continue to be appropriate (although ultimately that will need to be the decision of the doctor that has been fixed with the request) especially considering the additional workload pressures that are being faced and the exposure risk associated with making such a visit.
- Guidance has been produced by the BMA to support untrained individuals in assisting in the [verification of life extinct](#).
- It remains open to the doctor to speak with the care/nursing home and/or family member over the phone and the registered GP should be informed as soon as possible in order that they can comply [The revised Notification of Deaths Regulations \(2019\)](#) reporting requirements and take any other requisite action (for example, contacting the family).
- Clearly this may represent a change to what has been *custom and practice* hence it is important to carefully manage the messaging to both care/nursing homes and families at what will be a particularly sensitive time.
- Pandemic Multi Agency Response Teams (PMARTs) were established at the outset of the pandemic to respond to excess deaths in the community when Covid-19 was suspected or confirmed but **these were stood down on 15 May 2020**.

Certification of Death

- The Chief Coroner has produced a [Summary of the provisions of the Coronavirus Act \(2020\) that are relevant to coroners \(30 March 2020\)](#), which deals with (inter alia) death and cremation certification.
- The key points are below:
 - There is no need for the medical practitioner to see the patient after death for the purposes of completing the Medical Certificate of Cause of Death (MCCD) as long as **any** medical practitioner saw* them in the 28 days before death (including for verification of death).
 - *The [Advice from the General Register Office](#) states that attendance before death can be visual (i.e. in person) or by video (e.g. Skype) and the Chief Coroner is currently interpreting this that it **cannot** be audio (ie telephone) only.

Covid-19

----- Guidance for practices



- If **no** medical practitioner has attended the deceased within 28 days of death (including video/visual consultation) or the deceased was **not** seen after death by a medical practitioner, the MCCD can still be completed (if the medical practitioner feels that they are able to do so). The registrar **will** be obliged to refer the death to the coroner before it can be registered - in these circumstances, the coroner may instruct the registrar to accept the certifying doctor's MCCD for registration (this may be done under the provision of a Form 100A [which in effect is a form that provides the certifying medical practitioner permission to complete the MCCD]).

Certification of death when Covid-19 has been confirmed or is suspected

The Office for National statistics (ONS) published the following (interim) guidance - [Guidance for doctors completing Medical Certificates of Cause of Death in England and Wales](#). The guidance states:

- Covid-19 is an acceptable direct or underlying cause of death for the purposes of completing the MCCD.
- Covid-19 is not a reason on its own to refer a death to a coroner under the Coroners and Justice Act 2009.
- That Covid-19 is a notifiable disease under the Health Protection (Notification) Regulations 2010 but this does not mean referral to a coroner is required by virtue of its notifiable status.

The ONS subsequently provided the following clarification:

- The recording of "Probable Covid-19" or "Possible Covid-19" as the cause of death is not acceptable on its own.
- However, when accompanied by an acceptable cause of death in part 1(a) of the MCCD it can be accepted as part 1(b) for registration without need for referral.

Summary of new guidance for MCCD

A [simple flowchart](#) has been produced by the Royal College of Pathologist to clarify when they are able to complete a MCCD or when they need to refer to the coroner.

Cremation Forms

- The requirement for a confirmatory certificate (Cremation Form 5) is suspended hence here is only a requirement for one medical certificate (Cremation Form 4).

Covid-19

----- Guidance for practices



- Any medical practitioner can complete Cremation Form 4 a medical practitioner (not necessarily the medical practitioner who signs the Cremation Form 4) should have attended the deceased (including visual/video/skype consultation) within 28 days before death, or viewed the body in person (and specifically **not** remotely) after death.
- Helpful summaries of the amended regulations can be found at the links below:
 - [Revised guidance to medical practitioners completing Form 4 Cremation in a period of emergency](#)
 - [BMA guidance - Covid-19: death certification and cremation](#)

Notification of Deaths to the CQC

The obligations to notify deaths to the CQC have not changed and are summarised at the below link:

[CQC: Nigel's surgery 97: Responding to coronavirus \(Covid-19\)](#)