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SA Health

# Policy

## Declaration of Life Extinct by Registered Nurses and Midwives in the Absence of a Medical Practitioner

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Version 2.0

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Government  
of South Australia

SA Health

## 1. Name of policy

Declaration of Life Extinct by Registered Nurses and Midwives in the Absence of a Medical Practitioner (this Policy)

## 2. Policy statement

The [Death \(Definition\) Act 1983](#) does not prescribe those persons who may pronounce that a person has died. SA Health has determined that registered nurses and midwives can complete the assessment and declare life extinct in the absence of a medical practitioner.

This Policy provides the mandatory requirements for registered nurses and midwives to assess, document and declare life extinct within declared SA Health care sites where a medical practitioner is not available. This ensures timely declaration of life extinct and prompt movement of a deceased person to a mortuary, holding room or funeral home, to minimise delays which can cause distress to the family members of the deceased.

## 3. Applicability

This Policy applies across SA Health, including Department for Health and Wellbeing, Local Health Networks (including state-wide services aligned with these Networks) and SA Ambulance Service.

This Policy applies to registered nurses and midwives where a medical practitioner is not available on site within an SA Health facility, including a hospital, health centre, nursing home, hostel, or at home in the context of palliative care, or voluntary assisted dying.

## 4. Policy principles

This Policy is underpinned by the following principles:

- > We enable our workforce to facilitate and expedite timely declaration of life extinct.
- > We enable prompt movement of a deceased person to a mortuary or funeral home when a medical practitioner is unavailable to complete the certification of death.

## 5. Policy requirements

Where a medical practitioner is not available to complete a declaration of life extinct, SA Health registered nurses and midwives can complete the assessment and declaration of life extinct to allow a deceased body to be moved. A Funeral Director requires a declaration of life extinct prior to transporting the deceased body.

Mandatory Instruction 1 provides an overview flowchart of the process for the assessment and documentation of declaration of life extinct.

### Assessment and Declaration of Life Extinct

Where a medical practitioner is not available on site within an SA Health facility, including a hospital, health centre, nursing home, hostel, or at home in the context of palliative care or voluntary assisted dying, a registered nurse or midwife must:

- > Undertake the assessment and declaration of life extinct in accordance with this Policy prior to a medical practitioner attending to undertake death certification;

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- > Make a preliminary report to the Coroner or South Australia Police in circumstances where a death must be reported to the Coroner in accordance with the [Coroners Act 2003](#), and complete a full report of the assessment in the deceased person's health care record;
  - Note that once initial notification has been made to the Coroner or South Australian Police by the registered nurse or midwife, a medical practitioner is required to fulfil other notification requirements under the Coroners Act 2003.
- > Not delay the notification of the death to the client's/patient's family and significant other/s. It is recommended that the registered nurse or midwife contact the next of kin/family/carers early to notify them of the deteriorating patient and provide the opportunity to be with the person who is dying, if able and appropriate; and
- > Undertake a clinical assessment process to establish that life is extinct. The clinical assessment must identify and record:

- No palpable carotid pulse;
- No heart sounds heard for 1-2 minutes;
- No breath sounds heard for 1-2 minutes;
- Bilateral fixed and dilated pupils (left and right);
- No response to centralised stimulus;
- No motor (withdrawal) response or facial grimace in response to painful stimulus; and
- Notation of time assessment is undertaken.

### Documentation of declaration of life extinct

Following the assessment of life extinct, registered nurses and midwives must:

- > Document the assessment of life extinct process undertaken in the nursing progress notes (or the Electronic Medical Record) within the client's/patient's health care record referring to each of the assessment requirements;
- > Record in the client's/patient's health care record that the declaration of life extinct has occurred in the absence of a medical practitioner; and
- > Document using Local Health Network approved medical record forms (including the electronic medical record where applicable).

### Certification of Death- Medical Practitioner Responsibility

- > Death certification must be undertaken by a medical practitioner in accordance with the [Births, Deaths and Marriages Registration Act 1996](#) within 48 hours of death.
- > Certification of the facts and the cause(s) of death must be reported by a medical practitioner to the Registrar, Births, Deaths and Marriages in accordance with section 36 of the [Births, Deaths and Marriages Registration Act 1996](#) within 48 hours of death.
- > Voluntary assisted dying notification must occur to both the Registrar and the Coroner in accordance with section 84 [Voluntary Assisted Dying Act 2021](#).

## Mandatory related documents

Under this policy, all employees of SA Health must comply with:

- > [South Australia Health Care Act 2008](#)
- > [South Australia Births, Deaths and Marriages Registration Act 1996](#)
- > [South Australia Births, Deaths and Marriages Registration Regulations 2011](#)
- > [South Australia Coroners Act 2003](#)
- > [South Australia State Records Act 1997](#)
- > [Voluntary Assisted Dying Act 2021](#)
- > [SA Health Policy Coronial Process and the Coroners Act 2003](#)
- > [Government of South Australia Death \(Definition\) Act 1983](#)
- > [Voluntary Assisted Dying Policy](#)

## 6. Supporting documents and References

- > [Australian Funeral Directors Association](#)

## 7. Definitions

- > **Assessment of life extinct:** means the clinical assessment process undertaken to establish that a person has died.
- > **Certification of death:** means the process by which the time, specific details and causes of death are reported. A medical practitioner has a legal obligation under section 36 of the [Births, Deaths and Marriages Registration Act 1996](#) to certify death within 48 hours after the death.
- > **Coroner:** means the person holding or acting in the office of State Coroner under Part 2, section 3 of the [Coroners Act 2003](#).
- > **Declaration of life extinct:** means life extinct is declared following the assessment of the extinction of life.
- > **Medical Practitioner:** means a person who is qualified (registered on the general register or on both the general and specialist registers) to diagnose physical and mental illness, disorders, and injuries, and prescribe medications and treatment to promote good health.
- > **Medical Practitioner is not available:** is described as where there is no medical practitioner available on site and there is no capacity for a medical practitioner to attend site.
- > **Midwife:** means a person who is registered under the Health Practitioner Regulation National Law. A midwife is a professional who, in partnership with the client/patient, provides care, education and support during the childbearing cycle.
- > **Registered nurse:** means a person who is registered under the Health Practitioner Regulation National Law. A registered nurse is authorised to practise without supervision and is accountable and responsible for the provision of nursing care. The registered nurse is further accountable for assessment and decisions in relation to delegation and supervision (both direct and indirect) to enrolled nurses. The registered nurse cannot delegate this accountability.
- > **Reportable death:** means the circumstances defined within Part 1, section 3 (Interpretation) of the [Coroners Act 2003](#).
- > **SA Health facility:** refers to a hospital or health service of a South Australian Local Health Network or State-wide clinical support service.
- > **Voluntary assisted dying:** means a regulated intervention by an authorised medical practitioner, either providing the person with the means to end their life or (if the person is unable to do so) ending the person's life with the primary intent of relieving suffering, within

the context of a progressive life limiting condition where death is expected within 6 months, at the person's voluntary, repeated and fully informed request.

## 8. Compliance

This policy is binding on those to whom it applies or relates. Implementation at a local level may be subject to audit/assessment. The Domain Custodian must work towards the establishment of systems which demonstrate compliance with this policy, in accordance with the requirements of the [System-wide Integrated Compliance Policy](#).

Any instance of non-compliance with this policy should be reported to the Domain Custodian for the Clinical Governance Safety & Quality Domain and the Domain Custodian for the Risk, Compliance and Audit Policy Domain.

## 9. Document ownership

Policy Owner: Executive Director, Provider Commissioning and Performance as Domain Custodian for the Clinical Governance, Safety and Quality Domain

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## 10. Document history

Version	Date approved	Approved by	Amendment notes
2.0	14/02/2023	Deputy Chief Executive, Commissioning and Performance	Revised version Updated to Policy Framework
1.0	02/12/2016	Portfolio Executive	Original
PDS reference G0097	16/9/2010	Portfolio Executive (Declaration of Life Extinct by Registered Nurses and Midwives in the Absence of a Medical Practitioner Policy Guideline (2009-10988).	Moved from Policy Guideline to Policy Directive

## 11. Appendices

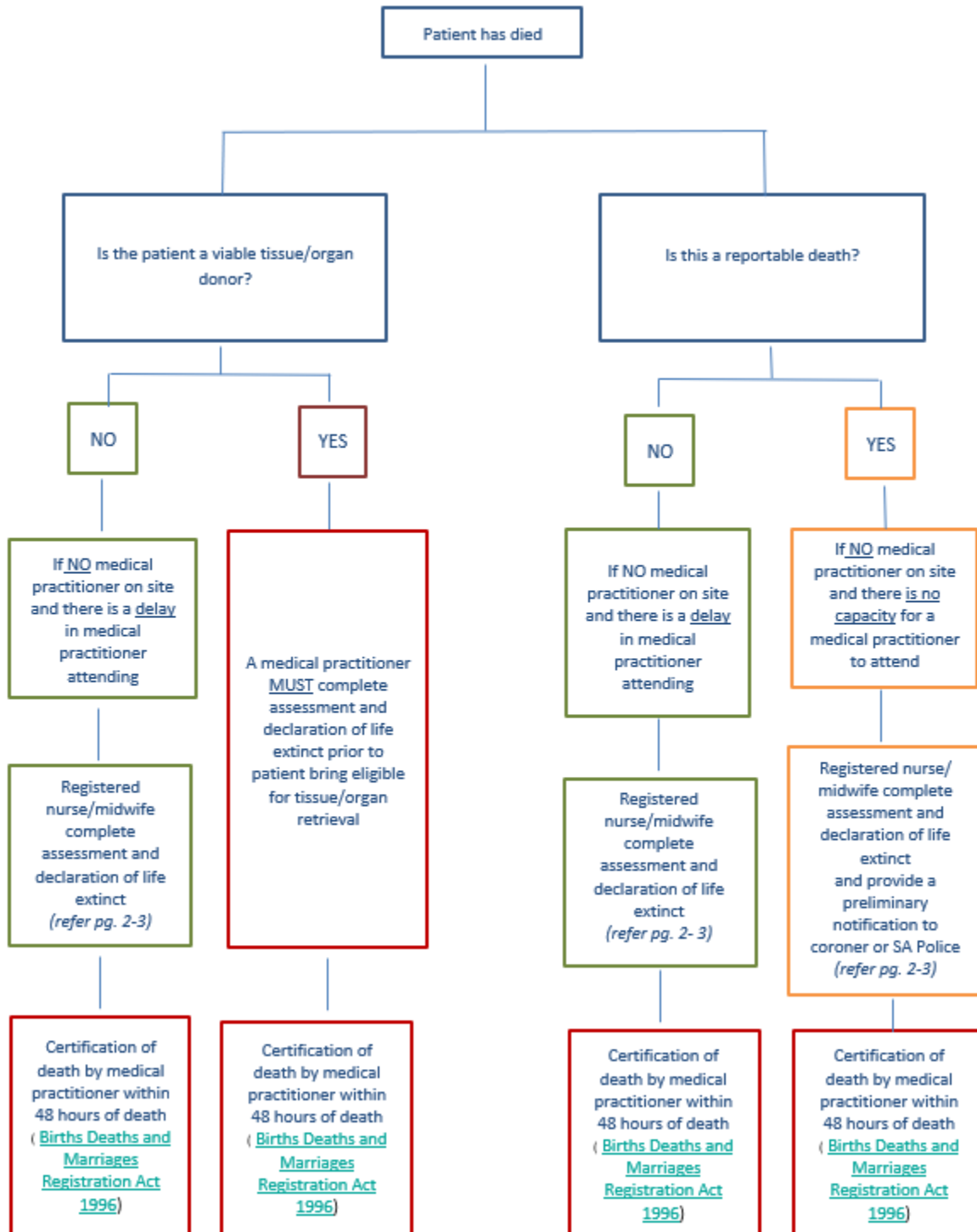
*Mandatory Instruction 1: Overview Flow Chart for the Assessment & Documentation of Declaration of Life Extinct*

*Mandatory Instruction 2: Compliance Indicators*

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### Mandatory Instruction 1: Overview Flow Chart For the Assessment & Documentation of Declaration of Life Extinct

The following Instruction must be complied with to meet the requirements of this policy.



## Mandatory Instruction 2: Compliance Indicators

The following Instruction must be complied with to meet the requirements of the Declaration of life extinct by registered nurses and midwives in the absence of a medical practitioner policy.

The SA Health-wide compliance indicators for this policy are set out below. These indicators are required to be met across all SA Health services

Indicator	Description
Clinical governance	<ul style="list-style-type: none"> <li data-bbox="560 461 1382 566">&gt; Evidence that health services have in place a clinical governance framework which supports the provision of safe, quality, and person-centred care delivery.</li> <li data-bbox="560 573 1382 678">&gt; Executive Directors of Nursing and Midwifery are responsible for ensuring that reporting procedures exist in accordance with the policy.</li> </ul>

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