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Guidance in relation to the Coroners Service and Deaths due to Covid-19 infection

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**AN TSEIRBHÍS CHRÓINÉARA
CORONER SERVICE**

Guidance in relation to the Coroners Service and Deaths
due to Covid-19 infection

The Coroners Service is responsible for the forensic and medico-legal investigation of certain categories of death in Ireland. The functions and role of the Coroner are set out in the Coroners Act 1962-2019. Novel Coronavirus (2019 nCov) is a notifiable Disease under the Infectious Diseases (Amendment) Regulations 2020 and deaths due wholly or partly to a notifiable disease must be reported to the Coroner under Schedule 2, paragraph 13 of the Act. Deaths must also be reported where the death occurred in such circumstances as may, in the public interest, require investigation under the Coroners Act 1962-2019 section 16 (1) (a) (v) and also under some of the other categories in that section in conjunction with a Covid-19 question. The following is a summary of the current situation in relation to this process of death investigation but must be read in conjunction with all other relevant and updated guidance documents particularly those from the HSE/HPSC in this National Covid-19 Pandemic Emergency.

Confirmed and suspected or possible Covid-19 related deaths are reportable to the relevant District Coroner in every case so that early decisions can be made regarding the Death Notification Form, post mortem examinations, Coroner's Investigation process and release of bodies to families through their nominated Funeral Director.

There are a number of anticipated scenarios in which such reported deaths will arise and the following scenarios also align with the guidance for post mortem examinations issued by the **National Clinical Advisor and Group Lead for Acute Operations of the Health Service Executive** (March 2020 as updated) and with **HSE Covid-19 Assessment and Testing Pathways for use in a Hospital Setting** (V.12.0: 30/03/20 and as per any further updates); **HSE Covid-19 Assessment and Testing Pathways for Symptomatic Resident in Residential Facilities and Long Term Care Facilities** (V.1.0: 27/03/20 and as per any further updates); and **HSE Covid-19 Telephone Assessment and Testing Pathway for General Practice** (V. 7.0: 31/03/2020 and as per any further updates).

SCENARIO 1. Patient death with a confirmed *ante mortem* diagnosis of Covid-19:

- a) Report the death to the District Coroner.
- b) In most cases a post mortem examination will not be required unless other circumstances are present and the law mandates an autopsy to be directed by the Coroner.

SCENARIO 2. Patient death in hospital in the context of suspected or possible Covid-19 as per HSE Assessment Pathway and *ante mortem* viral swabs results awaited:

- a) Report the death to the District Coroner.
- b) Whilst awaiting swab results, the body may be released by direction of the Coroner if the

doctor confirms the cause of death as being due to natural causes and there are no other circumstances requiring further investigation or examination. The actual cause of death to be certified by the doctor on the Death Notification Form will need to be confirmed with the Coroner's office once the swab result is available.

c) If positive for Covid-19, outcome will be same as 1b above.

SCENARIO 3. Patient death in hospital from respiratory failure/adult respiratory distress syndrome before investigation:

- a) Report the death to the District Coroner.
- b) If the treating doctor is satisfied having considered the recent clinical history and the case definition that the cause of death is Covid-19 the coroner will accept a clinical diagnosis without the requirement for post mortem viral swabbing. If there are no other circumstances requiring further investigation or examination the body may then be released by direction of the Coroner.

SCENARIO 4: Death in the community (at home, Nursing or Residential Home or Community Hospital) and assessment was or is now being made in accordance with the required Covid-19 HSE Assessment Pathway and *ante mortem* viral swabs results awaited.

- a) Report the death to the District Coroner
- b) Whilst awaiting swab results, the body may be released by direction of the Coroner if the doctor confirms the cause of death as being due to natural causes and there are no other circumstances requiring further investigation or examination.
- c) The actual cause of death to be certified by the doctor on the Death Notification Form will need to be confirmed with the Coroner's office once the swab result is available

SCENARIO 5: Death in the community (at a Nursing Home or a Residential Home or a Community Hospital) where there has been a previously confirmed outbreak of COVID-19 but no *ante mortem* viral swab has yet been undertaken for Covid-19

- a) Report the death to the District Coroner.
- b) If the treating doctor is satisfied having considered the recent clinical history and the case definition that the cause of death is Covid-19 the coroner will accept a clinical diagnosis without the requirement for post mortem viral swabbing. The Coroner may release the body if he or she is satisfied that the cause of death is due to natural causes, and there are no other circumstances requiring further investigation or examination.

SCENARIO 6: Death in the community where death due to COVID 19 infection is indicated.

- a) Report the death to the District Coroner
- b) If the treating doctor is satisfied having considered the recent clinical history and the case definition that the cause of death is COVID 19 the Coroner will accept a

clinical diagnosis without the requirement for postmortem viral swabbing. The Coroner may release the body if he/she are satisfied that the cause of death is due to natural causes and there are no other circumstances requiring further investigation or examination.

*Covid-19 is currently classified as a Biological Agent (Hazard Group 3) and the handling, transportation and viewing of the body of the deceased person should be in accordance with the relevant **Statutory Regulations** and the Guidelines from the **Health Service Executive and the Health Protection Surveillance Centre for Handling of Remains of 2013** (ISBN 978-0-9565622-1-0). All other relevant guidelines from the HSE and HPSC should also be observed.*

At the conclusion of any Coroner-directed post mortem examination, the body will be released to the person entitled to possession under law (usually the family or next-of-kin) and funeral arrangements and interment or other arrangements are then a matter for the family and their funeral directors. The Coroners Society of Ireland will review this guidance as appropriate and required if and as further information becomes available.

Coroners Service / Coroners Society of Ireland.

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