



MDU

## Certifying deaths after expiry of the Coronavirus Act

*Doctors must have seen the patient during last illness or attended the body to certify death.*

28 September 2022

The Coronavirus Act 2020 introduced changes to the process of death certification recognising the difficulties created by the pandemic, particularly where the doctor who saw the patient during their last illness was unable to sign the certificate.

In England and Wales, these easements [expired in March 2022](#), although some changes have been [retained on a permanent basis](#).

For more information, see the [guidance for doctors completing medical certificates of cause of death in England and Wales](#). See below for specific information on Scotland and Northern Ireland.

### Completing an MCCD

It remains the case that a doctor who has seen the patient within 28 days of their death can complete the medical certificate of cause of death (MCCD) rather than the 14-day period that existed before the Act.

However, the change allowing any medical practitioner to complete the MCCD has not been retained. Only a medical practitioner who attended the deceased during the 28 days of their last illness or viewed the body in person after death, is allowed to complete the MCCD.

Seeing the patient during their last illness can include consultations using video technology but not consultations with telephone/audio only. Attendance after death to view the body needs to be in person, including to verify the death.

### Electronic certificates

It remains acceptable for medical practitioners to send MCCDs to registrars electronically. The MCCD can be scanned or photocopied and sent from a secure email account to the registrar. Family members (the informant or next of kin) have to register deaths in person.

### Patients not seen before death

Where the patient was not attended within 28 days of their death, the death should be discussed with the coroner.

In some circumstances, the coroner may instruct the registrar to accept a certificate provided by a doctor who attended the patient during their last illness even if the last attendance was more than 28 days prior to the death.

Sometimes there is no appropriate doctor to complete an MCCD. In that case, a doctor not directly involved in the patient's care should provide the coroner with information that may help determine the cause of death. The coroner can then either investigate or provide information to the registrar about a death that is not to be investigated (in which case the death will be legally 'uncertified').

## Scotland

In Scotland, even before the changes introduced as a result of coronavirus, it was possible for another medical practitioner to provide an MCCD if no registered medical practitioner had attended the deceased during their last illness, or if the attending practitioner was unable to provide a certificate.

The coronavirus provisions allowing for electronic transmission of MCCDs and an informant to remotely register the death will remain in place until [24 September 2024](#).

## Northern Ireland

The coronavirus provisions relating to death certification in Northern Ireland will revert to the pre-COVID-19 position in Northern Ireland. This means that the deceased must have been attended by the medical practitioner completing the MCCD in the 28 days prior to their death.

A doctor who was not involved in the patient's care during the illness from which they died cannot certify the cause of death but should provide the coroner with any information that may help determine the cause of death.

The provisions allowing a cremation to proceed on the basis of a single medical certificate (ie, without the confirmatory medical certificate 'Form C') [have been extended until 24 March 2024](#).

This information is intended as a guide. For the latest medico-legal advice relating to your own individual circumstances, please contact our medico-legal team on 0800 716 646 or email [advisory@themdu.com](mailto:advisory@themdu.com)