

Pronouncement of Death in Massachusetts: Hospice House and Home Hospice Settings

This document provides an updated and comprehensive overview of the legal and regulatory framework governing pronouncement of death in Massachusetts, with particular attention to practices in inpatient hospice facilities (e.g., High Pointe Hospice House) and in home hospice care. The information reflects Massachusetts General Laws, Department of Public Health requirements, Board of Registration in Nursing standards, and the implementation of the Massachusetts Vital Records Information Collaborative (MAVRIC) electronic system.

Massachusetts Law

Under Massachusetts General Laws, Chapter 46, Section 9, Registered Nurses (RNs), Nurse Practitioners (NPs), and Physician Assistants (PAs) employed by and acting within the scope of a licensed hospice program, nursing home, home health agency, or PACE program may determine and pronounce death. The pronouncement must be made in writing, on a form approved by the Commissioner of Public Health, and requires a reasonable effort to notify the attending physician or medical examiner. The pronouncing clinician must also document the location of the deceased and notify the physician or medical examiner of the disposition of the body.

Who May Pronounce Death in Hospice and Home Hospice Settings

1. **Registered Nurses (RNs):** Authorized under MGL c.46, §9 to pronounce death in licensed hospice and home hospice programs, including inpatient facilities such as High Pointe Hospice House.
2. **Nurse Practitioners (NPs):** Authorized to pronounce death under the same statute, provided they are working within a licensed program.
3. **Physician Assistants (PAs):** Also explicitly authorized to pronounce death under Massachusetts law.
4. **Licensed Practical Nurses (LPNs):** *Not authorized to independently pronounce death* in Massachusetts.
5. **Physicians:** Retain the traditional authority to pronounce and certify death.

Limitations and Requirements

Although RNs, NPs, and PAs may legally pronounce death, ***they may not complete or sign the death certificate***. Completion of the death certificate remains the responsibility of a physician, nurse practitioner, or physician assistant. Additionally, in cases of unexpected or suspicious death, the Office of the Chief Medical Examiner must be notified immediately, and standard procedures supersede hospice pronouncement authority.

MAVRIC Electronic Pronouncement System

Massachusetts is in the process of **fully transitioning to the Massachusetts Vital Records Information Collaborative (MAVRIC)**, an electronic system for pronouncements and vital records. **As of now**, hospice RNs, NPs, and PAs are expected to utilize MAVRIC to record pronouncements of death. This replaces prior paper-based pronouncement forms. Training and access to MAVRIC are coordinated through the Massachusetts Department of Public Health and Registry of Vital Records and Statistics.

Application in Hospice House (High Pointe) and Home Hospice

In both the High Pointe Hospice House and home hospice settings, the process of pronouncement by RNs, NPs, or PAs must follow Massachusetts statutory requirements, agency policy, and documentation standards.

- The clinician pronouncing death should:
- Verify cessation of circulatory and respiratory functions.
- Document the time of death in the EMR and in MAVRIC.
- Notify the attending physician or hospice medical director.
- Provide emotional support to the family and ensure communication with the funeral home.
- Notify the medical examiner if circumstances of death require it (e.g., under age 18, unexpected death, or suspicious cause).

References

Massachusetts General Laws, Chapter 46, Section 9. (n.d.). In The General Court of Massachusetts. Retrieved from <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVII/Chapter46/Section9>

Massachusetts Board of Registration in Nursing. (2020). 244 CMR 9.03: Standards of Conduct. Retrieved from <https://www.law.cornell.edu/regulations/massachusetts/244-CMR-9-03>

Massachusetts Department of Public Health. (2024). MAVRIC RN, NP, and PA pronouncement role FAQ. Retrieved from <https://www.mass.gov/doc/mavric-rn-np-and-pa-pronouncement-role-faq-pdf>

Massachusetts Senior Care Association. (2023). Coming 2024: Electronic death pronouncement process. Retrieved from <https://maseniorcare.org/member-resources/e-news-updates/coming-2024-electronic-death-pronouncement-process>