



On approval of the Rules for performance of the postmortem examination by an independent expert (experts) at the request of the spouse, close relatives or legal representative of the deceased

Unofficial translation

Order of the Minister of Healthcare of the Republic of Kazakhstan dated December 15, 2020 No. ҚР ДСМ-271/2020. Registered with the Ministry of Justice of the Republic of Kazakhstan on December 20, 2020 No. 21819

Unofficial translation

In accordance with clause 5 of article 131 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On Public Health and Healthcare System" **I HEREBY ORDER:**

1. To approve the attached Rules for performance of the postmortem examination by an independent expert (experts) at the request of the spouse, close relatives or legal representative of the deceased.

2. The Department for Organization of Medical Care of the Ministry of Health of the Republic of Kazakhstan, in accordance with the procedure, established by the legislation of the Republic of Kazakhstan, shall ensure:

1) state registration of this order with the Ministry of Justice of the Republic of Kazakhstan;

2) placement of this order on the Internet resource of the Ministry of Healthcare of the Republic of Kazakhstan after its official publication;

3) within ten working days after the state registration of this order with the Ministry of Justice of the Republic of Kazakhstan submission to the Legal Department of the Ministry of Healthcare of the Republic of Kazakhstan of information about implementation of measures stipulated by subclauses 1), 2) of this clause.

3. Control over execution of this order shall be entrusted to the supervising Vice-Minister of Healthcare of the Republic of Kazakhstan.

4. This order shall come into force upon expiry of ten calendar days after the date of its first official publication.

*Minister of Healthcare
of the Republic of Kazakhstan*

A. Tsoy

Approved
by the order of the
Minister of Healthcare of the
Republic of Kazakhstan
dated December 15, 2020
No. ҚР ДСМ-271/2020

Rules for performance of the postmortem examination by an independent expert (experts) at the request of the spouse, close relatives or legal representative of the deceased

Chapter 1. General Provisions

1. These Rules for performance of the postmortem examination by an independent expert (experts) at the request of the spouse, close relatives or legal representative of the deceased (hereinafter referred to as the Rules) have been developed in accordance with clause 5 of article 131 of the Code of the Republic of Kazakhstan dated July 7, 2020 "On Public Health and Healthcare System" (hereinafter referred to as the Code) and shall determine the procedure for the performance of the postmortem examination by an independent expert (experts) at the request of the spouse, close relatives or legal representative of the deceased.

2. Basic concepts used in these Rules are as follows:

1) authorized body in the field of healthcare (hereinafter referred to as the authorized body) is a central executive body that carries out management and inter-sectoral coordination in the field of health protection of citizens of the Republic of Kazakhstan, medical and pharmaceutical science, medical and pharmaceutical education, sanitary and epidemiological well-being of the population, circulation of pharmaceuticals and medical devices, the quality of healthcare services (assistance);

2) healthcare entities – healthcare organizations, as well as individuals engaged in private medical practice and pharmaceutical activities.

3) patient - an individual who is (was) a consumer of healthcare services, regardless of the presence or absence of a disease or condition requiring medical care;

4) independent expert - an individual who meets the requirements determined by the authorized body and is included in the register of independent experts;

3. The postmortem examination by an independent expert (experts) shall be performed at the request of the spouse, close relatives or legal representative of the deceased upon their written application in any form.

4. Information about independent experts is contained in the Register of independent experts, which is formed by the state body in the field of healthcare services (assistance) in accordance with subclause 18) of article 8 of the Code.

5. An independent expert (experts) shall be invited (involved) to perform the postmortem examination if he/she (they) is not (are) in official communication and (or) does not depend on the healthcare organization where the patient died or on the healthcare organization, officials persons interested in the results of an independent postmortem examination.

6. An independent expert (experts) shall be invited (involved) to perform the postmortem examination subject to his/her (their) specialty in accordance with the Nomenclature of specialties and specializations in the field of healthcare in accordance with subclause 42) of article 7 of the Code.

7. The head of the healthcare organization where the patient's death occurred, when assigning the postmortem examination at the request of the spouse, close relatives or legal representative of the deceased, shall provide information about the optimal place for its conduct and information about an independent (independent) expert (s). The choice of a specific healthcare organization, where the postmortem examination will be performed, and the choice of an independent expert (experts) shall be carried out by the spouse, close relatives or legal representative of the deceased.

Chapter 2. Procedure for the performance of the postmortem examination by an independent expert (experts) at the request of the spouse, close relatives or legal representative of the deceased

8. An independent expert (experts), when performing the postmortem examination, shall carry out a set of methods required for the diagnosis of a specific disease, including hematoxylin-eosin and (or) special histochemical stains (immunohistochemical, electron microscopic research methods and research methods provided for by the standard in the field of healthcare according to clause 7 of article 131 of the Code).

9. Medical certificate of death (medical certificate of perinatal death) shall be issued by an independent expert on the day of the postmortem examination.

10. When making a postmortem diagnosis based on the results of the postmortem examination, an independent expert (independent experts) shall indicate:

- 1) main disease;
- 2) complication of the main disease;
- 3) coexisting disease;
- 4) combined main disease: competing diseases, comorbidities, underlying disease.

11. The results of the performance of the postmortem examination by an independent expert (experts) shall be drawn up in the form of a protocol (card) of the postmortem examination in any form, within 10 working days from the date of postmortem examination.