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Background Heart donation after circulatory determination of death (DCDD) has provoked ethical debate focused primarily on whether heart DCDD donors are dead when death is declared and when organs are procured. **Objective and design** We rigorously analyse whether four heart DCDD programmes (Cape Town, Denver, Australia, Cambridge) respect the dead donor rule (DDR), according to six criteria of death: irreversible cessation of all bodily cells function (or organs), irreversible cessation of heart function, irreversible cessation of circulation, permanent cessation of circulation, irreversible cessation of brain function and permanent cessation of brain function. **Conclusions** Only death criteria based on permanency are compatible with the DDR under two conditions: (1) a minimum stand-off period of 5min to ensure that autoresuscitation is impossible and that all brain functions have been lost and (2) no medical intervention is undertaken that might resume bodily or brain circulation. By our analysis, only the Australia heart DCDD programme using a stand-off period of 5min respects the DDR when the criteria of death are based on permanency.

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