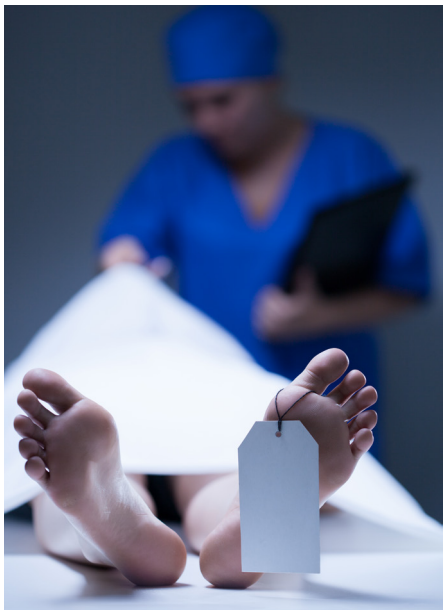
Completing a death certificate

Including flow charts for Victoria



Quick guide

- To complete a death certificate, you must be satisfied
  - as to the cause of death, and
  - that the death does not need to be reported to the coroner.
- If you have been treating a patient immediately before they died, or if you examined the body, you will generally have 48 hours after the death to complete the death certificate or the death should be reported to the coroner.
- Do not sign a death certificate if you are uncomfortable or unable to form an opinion as to the probable cause of death. See advice.

The process and requirements for completing death certificates are different in each state and territory. Make sure you understand the rules that apply where you practice.

Who can sign a death certificate?

When doctors are being asked to complete the death certificate, this generally refers to the Medical Certificate of Cause of Death (MCCD). This is the legal document used to notify deaths to the Registrar of Births, Deaths and Marriages in each state or territory.

You may be prohibited from signing an MCCD in a particular case because of your relationship to the deceased.

Otherwise, generally, you can sign an MCCD if you are satisfied:

- the death does not need to be reported to the coroner
- about the cause of death because
  - you were responsible for a person's medical care immediately before death, or
  - you examined the body and/or have sufficient information (e.g, through review of the medical records or discussion with the treating doctor).

In some states and territories you may be able to sign the MCCD without examining the body, if you have sufficient information about the person's medical history and the circumstances of the person's death to form an opinion as to the probable cause of death.

See Avant's death certificate decision flow chart for more detail on the requirements for your state and territory.

When not to complete a death certificate

Reportable deaths

Certain deaths must be reported to the coroner or the police (reportable deaths). In such cases, contact the police or coroner and do not complete an MCCD.

The circumstances vary between states and territories, however reportable deaths usually include those:

- where the deceased's identity is not known
- where the cause of death is not known or where a doctor has been unable to sign an MCCD
- that were violent or unnatural or occurred under suspicious or unusual circumstances
- that were unexpected
- resulting from an accident or injury
- where the deceased person was in care or custody
- related to health care and which were not the reasonably expected outcome of the health care. For example in WA, a death that occurs within 24 hours of an anaesthetic must be reported.

In jurisdictions with voluntary assisted dying provisions, such deaths are generally not reportable, but there may be notification provisions under the legislation in your jurisdiction.

Perinatal deaths

Most states and territories also have specific provisions for perinatal deaths and there is a usually a separate form to be used in the case of a perinatal death.

Your relationship to the deceased

You may be prohibited from completing an MCCD or a cremation certificate for a family member, or if you are a beneficiary of the deceased. Seek advice if you may be in this situation.

Do you need to examine the body of the deceased to complete the death certificate?

Examining or viewing the body is not always legally necessary to complete the MCCD.

Whether an examination is necessary depends on the facts and circumstances described to you about the death.

If you have any concerns, we recommend you make every effort to examine the body.

If you need to examine the body but are unable to attend in person and view the body, contact Avant. Other options such as viewing by video may be available in some states and territories.

How long do you have to complete a death certificate?

Generally, you must complete the MCCD within 48 hours from the time of death if you:

- were treating the patient immediately before the death, or
- attended and examined the body of a deceased patient.

The exceptions are if you notify the coroner, or if you reasonably believe another doctor has completed the MCCD or notified the coroner.

Contact Avant if you will be unable to complete the MCCD within the 48-hour period. Some states and territories have provisions that may allow you to extend that timeframe.

What if you are uncomfortable completing a death certificate?

Sometimes doctors report they feel pressure to sign the MCCD.

If you cannot be satisfied or cannot form an opinion as to the probable cause of death, or if you have any concerns that the death might need to be reported to the coroner, seek advice.

In many states and territories, you can contact the coroner's office for advice. Always take careful notes of your discussions and any advice in case there are questions later.

What do you do with the death certificate?

The completed MCCD needs to be sent to the Registry of Birth, Deaths and Marriages.

There are different provisions in each state and territory about who needs to register the death.

Can a death certificate be amended?

If you discover an error that means the death should have been reported to the coroner, you need to bring the error to the coroner's attention and report the death.

If the error does not change your ability to issue the MCCD, you can correct the error. If possible, retract the incorrect certificate and issue a new one.

Do not destroy the old documents or make them illegible as they are still part of the medical record. Correct the document by striking through the incorrect entry, mark it 'written in error' and print the author's name, signature, designation, date and time.

If the certificate has already been provided to the Registrar of Births, Deaths and Marriages, each state and territory registry also has a process for notifying the registry of the error.

Families can find amending death certificates distressing so it is important to manage this situation sensitively.

Cremation certificates

The body of a deceased person cannot lawfully be cremated until the necessary certificates and permits have been obtained.

You may be asked to complete a cremation certificate if you attended the deceased patient. Or you may be asked to act as a second independent practitioner. The formal requirements are different in each state and territory, but generally you will be asked to certify:

- the cause of death has been identified
- there are no circumstances requiring the coroner to investigate the death
- you are not aware of any objections i.e, that the deceased did not wish to be cremated or a family member objects
- whether the cremation poses a risk (e.g, because there is a battery powered device such as a pacemaker, or a radioactive implant in the body).

See Avant's cremation certificate of medical practitioner decision flow chart for more detail on the requirements for Victoria.

Do you need to examine the body before issuing a cremation certificate?

In most jurisdictions you are required to view the body before issuing a cremation certificate. It is advisable to see the body in person (rather than via video) to certify that you have 'seen' the body and 'examined' it.

When not to sign a cremation certificate

Do not sign a cremation certificate if

- you are not satisfied with the MCCD
- there is a possibility that further investigations into the cause of death are required
- you are aware the deceased did not wish to be cremated
- you are aware someone such as a personal representative or close family member of the deceased has objected to the cremation.

If you are related to the deceased in any way, or a beneficiary of the deceased, you should not sign a cremation certificate.

You may also be unable to sign a cremation certificate as an independent practitioner if you or a partner in your practice completed the MCCD. Seek advice in these circumstances.

Patient medical records

Document all aspects of the MCCD and cremation certificate process in the patient record, particularly if you decide not to complete a certificate because you are uncertain about the cause of death.

Further information

ABS: Cause of death certification guide

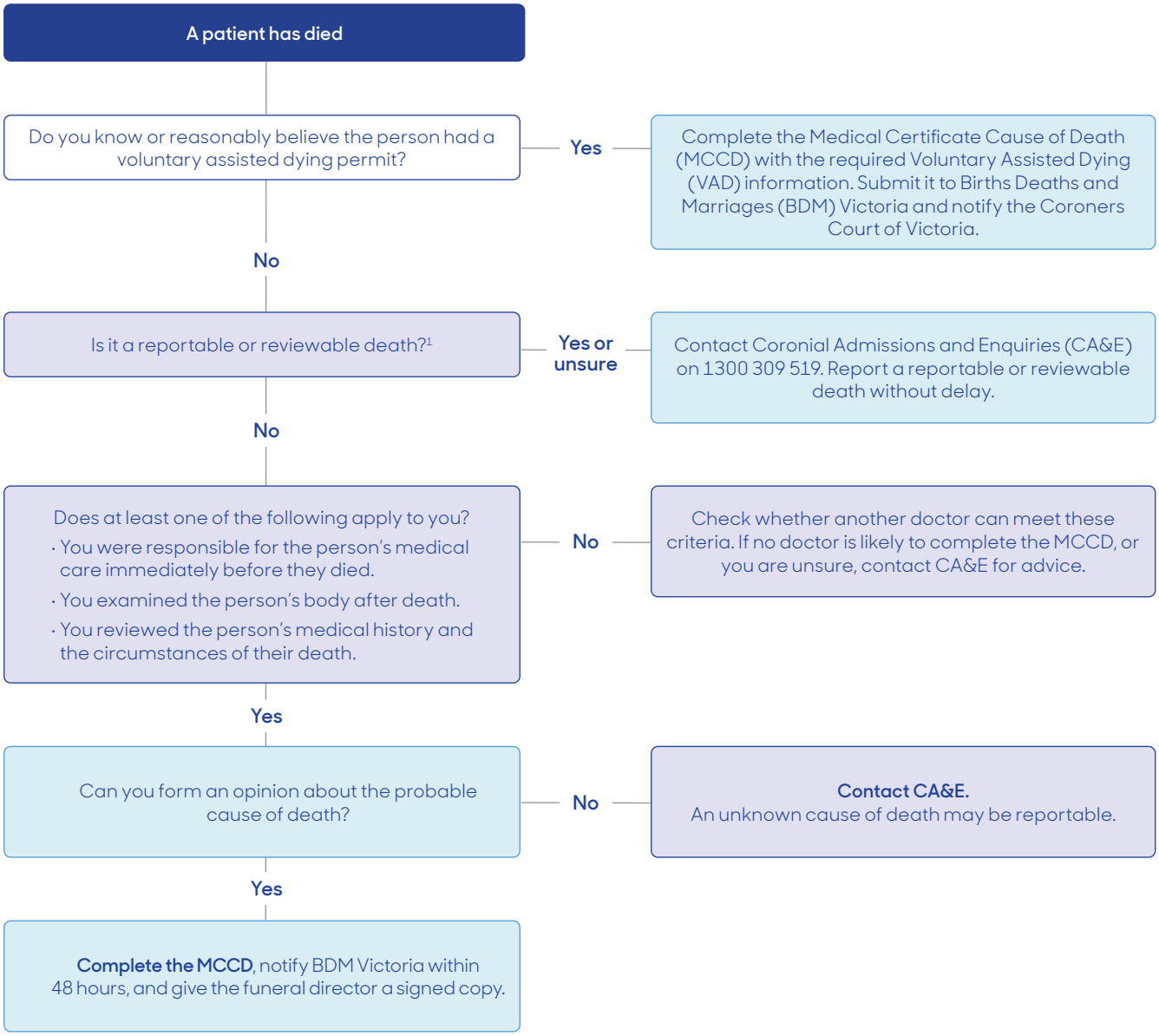
Coroners Court of Victoria: For healthcare professionals: Reporting a death

BDM Vic: Legal requirements for doctors

BDM Vic: Registering a death

For more information or immediate medico-legal advice, call us on **1800 128 268**, 24/7 in emergencies.
avant.org.au/mlas

Victoria
Death certficate decision flow chart



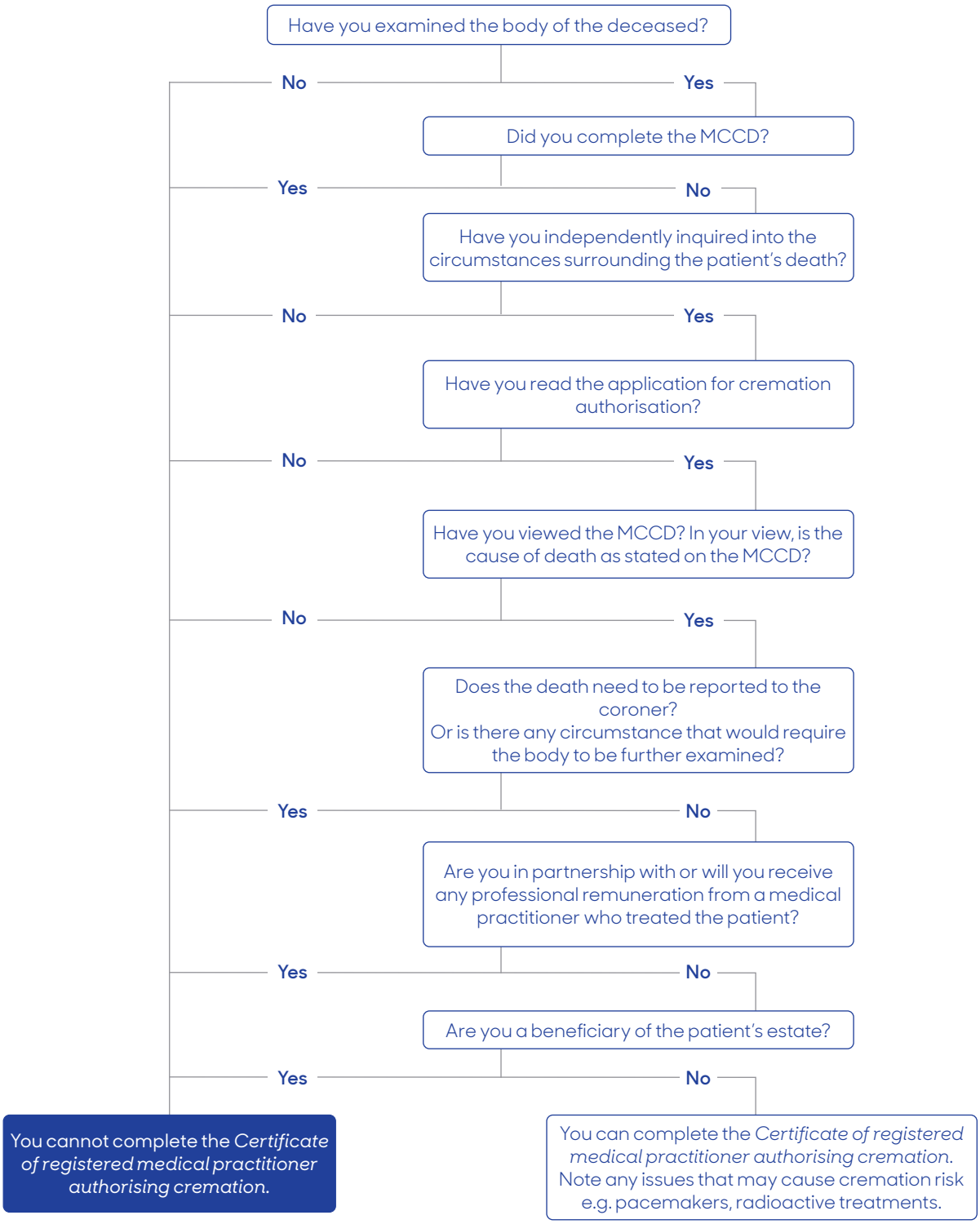
[1]**Reportable deaths** include where the death is or appears to be:

- Unexpected, unnatural, or violent
- The result of an accident or injury
- Of unknown identity
- Due to unknown causes
- Related to a medical procedure where death was not reasonably expected and the procedure may have been a cause
- Of a person in custody, or under a non-custodial supervision order
- Of a person detained in a mental health service under a compulsory assessment, treatment or supervision order under the Mental Health and Wellbeing Act 2022
- Of a person living in specialist disability accommodation under the National Disability Insurance Scheme.

Reviewable deaths include the death of a child where another child of the parent(s) has previously died. The Coroners Act provides some exemptions.

See Coroners Court of Victoria: Reportable Deaths for further details.

Victoria
Certificate of registered medical practitioner authorising cremation decision flow chart



In Victoria the *Certificate of registered medical practitioner authorising cremation* must accompany the application for cremation authorisation.

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By doctors for doctors

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