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MEDICAL CERTIFICATES OF CAUSE OF DEATH

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The Medical Certificate of Cause of Death (“**death certificate**”) is an important legal document for legal and statistical purposes, and enables an authority to be provided to the funeral director to arrange disposal of the body. Medical practitioners have a professional responsibility to ensure the accurate completion of death certificates.

WHO MAY COMPLETE A DEATH CERTIFICATE?

A medical practitioner who:

- was responsible for the deceased person’s medical care during their last illness or immediately before death; or
- examined the body of the deceased person within 48 hours of the death;

can complete the death certificate, provided that the medical practitioner is ‘comfortably satisfied’ as to the cause of the death and no other circumstances are present which require the death to be reported to the Coroner.

This means that, in the absence of a deceased’s treating GP, another GP in the practice can complete the death certificate provided they have sufficient information to be ‘comfortably satisfied’ as to the cause of death, and the death is not required to be reported to the Coroner.

A doctor responsible for a deceased person’s medical care immediately before death may still certify the death even if that doctor hasn’t examined the body of the deceased person after death.

WHEN DOES A DEATH NEED TO BE REPORTED TO THE CORONER?

The *Coroner’s Act 2008* (Vic) outlines in detail the circumstances in which a death must be reported to the Coroner (a ‘reportable death’). Completing a death certificate and reporting a death to the Coroner are mutually exclusive processes; if a person’s death is reportable a death certificate should not be filled out.

In general, a death should be reported when:

- The cause of death is unknown (that is, the GP is not ‘comfortably satisfied’ as to the

cause of death)

- The cause of death is unexpected, unnatural or violent or a result of an accident or injury;
- The death occurs during or following a medical procedure that may be causally related to the procedure and a medical practitioner would not have reasonably expected the death; or
- The death occurred when the person was in police or other lawful custody, or where the person was held in care (eg a mental health facility).
- The death occurred where the person was immediately before their death a patient within the meaning of the *Mental Health and Wellbeing Act 2022* (Vic)

In addition, a death is a 'reviewable death' if the death is of a child in Victoria and it is the second or subsequent deceased child of the deceased child's parent unless the death occurred in hospital, the child was born at a hospital and had always been an in-patient of a hospital, and the death is not a reportable death.

If a medical practitioner is unsure whether or not a death should be reported, advice should be sought from the practitioner's medical defence organisation, the Coroner's Court and/or AMA Victoria.

The contact details for the Coroner's office in Victoria are:

State Coronial Services Centre
65 Kavanagh Street, Southbank VIC 3006

Ph: 1300 309 519

Website: <https://www.coronerscourt.vic.gov.au/>

WHAT INFORMATION DO GPS NEED TO COMPLETE THE FORM?

Death certificates require demographic details of the deceased including:

- Full name
- Gender
- Date of death
- Place of death
- Age at death
- Aboriginal or Torres Strait Islander origin

The death certificate also requires cause of death information.

CAUSE OF DEATH

Part I of the death certificate requires information about the disease or condition directly leading to the death; that is, the disease, injury or complication that caused the death (not only the mode of dying). Part I also requires information about any antecedent causes which are the conditions giving rise to the disease or condition directly leading to the death.

Part II of the cause of death section of the death certificate is for any other significant conditions contributing to the death, but not related to the disease or condition causing it. Dates of onset of the listed conditions should be included. A best estimate should be made where the date is unknown.

The death certificate also includes questions relating to:

- the place of birth of any living or deceased sibling of a deceased child (this question was introduced to enable the Registry of Births, Deaths and Marriages to report 'reviewable deaths' of a child whose death is the second or subsequent child of a parent);
- the presence of a cardiac pacemaker or other battery powered device in the body of the deceased person.

A medical practitioner must provide:

- their Medical Board of Australia registration number; and
- information about the deceased's next of kin, such as name, relationship and contact phone number, to the best of their knowledge with the information at hand.

NEXT OF KIN DETAILS

Doctors are required to provide details of the deceased person's next of kin, if the information is readily available.

The next of kin hierarchy of a deceased adult is the deceased's:

1. spouse or domestic partner;
2. son or daughter over 18 years old;
3. parent/s;
4. sibling if 18 years or over.

The next of kin hierarchy of a deceased child is the deceased's:

1. parent/s;

2. sibling if 18 years or over;
3. guardian immediately prior to death.

COMPLETING THE DEATH CERTIFICATE ONLINE

Death certificates can now be completed online via the births, deaths and marriages website. Practitioners will need their AHPRA registration number to log in. The electronic certificate can be accessed here: <https://www.bdm.vic.gov.au/medical-practitioners>

Improvements have been made in response to AMAV advocacy designed to reduce the administrative burden on medical practitioners.

WHERE CAN I GET A BLANK DEATH CERTIFICATE FOR COMPLETION?

Blank forms can be obtained online or by order form from the Registry of Births, Deaths and Marriages in Victoria.

CAN I CHARGE A FEE FOR THE DEATH CERTIFICATE?

Medicare benefits are not payable for the issue of a death certificate. Although Medicare benefits are not payable, an attendance on a patient at which it is determined that a death has occurred can be claimed under the appropriate attendance item. The outcome of the attendance may be that a death certificate is issued; however, Medicare benefits are only payable for the attendance component of the service.

The appropriate attendance item is the item you would normally claim for a patient at whichever location you attended to them.

Apart from the practicality of who to charge the fee to, doctors have an ethical and legal responsibility to complete a death certificate and as such AMA Victoria does not recommend that you charge a fee.