

Title: Completing death certifications

Date Issued: March 18, 2024

Date Revised:

Purpose: Provide guidance on medical board expectations concerning death certifications

Approved by: Medical director

The NM Department of Health has asked that the board assist in reminding our physician licensees of the importance of timely and accurate completion of cause of death medical certifications. These certifications precede the issuance of a death certificate.

Why is this important? In addition to public health and epidemiological reasons, there are very practical implications for the families of the deceased. Without a death certificate:

- Families can't have the body released for burial or cremation,
- Financial transfers can't happen, such as:
 - o Probate and property transfers,
 - o Beneficiaries of insurance, Social Security and other assets can't move forward,
 - o Social Security payments may continue being issued to the deceased, which can get messy as they will need to be returned.

Per NM Statute 24-14-20:

(c) The medical certification shall be completed and signed within forty-eight hours after death by the physician in charge of the patient's care for the illness or condition which resulted in death except when inquiry is required by law. In the absence of the physician, or with his approval, the certificate may be completed and signed by his associate physician, the chief medical officer of the institution in which death occurred or the physician who performed an autopsy on the decedent, provided such individual has access to the medical history of the case, views the deceased at or after death and death is due to natural causes.

The funeral director is required to file the death certificate with five days of the death, but must rely on the physician to provide the medical certificate.

Besides the timely completion of the medical certificate, accuracy is also important. Per the DOH:

“it appears that one of the issues is sometimes death certificates have incomplete information on them, such as cause of death is listed as “Cardiac Arrest” which, according to the CDC is not actually correct, as the reason for the cardiac arrest should be the listed cause of death.

However, some doctors don't want to re-designate the cause of death, sometimes the certifier

was a traveler and is no longer at the facility, but the medical chief of staff won't make the required changes, because they weren't the attending."

Note that per the statute, a CMO or associate can correct or even complete the medical certificate if the original attending is unavailable.

The NMMB sees this responsibility as an essential component of patient care, both ethically and legally.

For additional information on this responsibility see from the CDC and DOH:

https://www.cdc.gov/nchs/data/dvs/blue_form.pdf

<https://www.nmhealth.org/about/erd/bvrhs/vrp/resources/>