

Death Registration: The Physician's Responsibilities

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The process of death registration in North Carolina is complicated by the many unusual circumstances of death and by several other factors. The latter include the availability of those individuals involved in the registration process, the grief of the families concerned and their desire to achieve swift closure to the grieving process, and the need to provide reasonable confidentiality both to the decedents and to their families.



Requirements and Responsibilities

Accurate data about each death are essential for health and safety research and for public health programs to reduce infant mortality and the spread of AIDS and other contagious diseases. In order to facilitate the proper and efficient registration of each death in the state, the North Carolina General Statutes (NCGS) and the North Carolina Administrative Code (NCAC) assign specific legal responsibilities to physicians, funeral directors, hospital staffs, health department personnel, the chief medical examiner, and the state registrar.

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NCGS 130A-115 specifically requires the funeral director who first assumes custody of a body to prepare the death certificate, secure the physician's signature, and file the record with the appropriate health department within five (5) days after the death. Additionally, NCAC T15A:

19H.0501 requires hospital staff to provide the funeral director with the name of the deceased, the date the death occurred, and the name of the attending physician or medical examiner who is legally responsible for certification of the medical facts of death.

The physician's responsibilities arise at this point in the process. NCGS 130A-115 specifically requires the attending physician or medical examiner to complete cause-of-death information and sign each

death certificate within three (3) days after the death occurs. When the cause or causes of death cannot be ascertained because of a pending autopsy or laboratory test, that should be stated on the death certificate and the certificate then signed and forwarded to the health department. The supplementary information should be sent directly to the health department as soon as it becomes available in order that accurate cause-of-death information can be added to the certificate.

Medical Examiner's Role

Untimely, violent, unusual, and unattended deaths are automatically considered to be medical examiner cases and each such certificate must be signed by the medical examiner of the jurisdiction. Specifically, medical examiners handle cases of death

- involving or suspected of involving homicide
- by suicide or suspected suicide
- by trauma
- by accident
- by disaster or violence
- by unknown, unnatural, or suspicious circumstances
- while in custody of law enforcement
- involving poison or suspicion of poison
- during surgical or anesthetic procedures
- that are sudden and unexpected
- that are without medical attendance

Natural Death

On the other hand, each natural death falls under the authority of NCGS 130A-115 and NCAC T15A:19H.0503, which specify that the physician who last treated the deceased is responsible for completing the cause-of-death information on the death certificate. If that physician is not available, the physician who pronounced death or an associate physician or a physician on call for the attending physician may sign the certificate.

NCGS 130A-97 requires local health directors to administer and help enforce death registration requirements in their counties or districts. Inherent in this requirement is the responsibility of assisting

physicians, hospital personnel, and funeral directors in the resolution of problems. Finally, NCGS 130A-92(a) specifically directs the state registrar “. . . to require the provision of information to make the records complete and satisfactory.” This obliges the state registrar to assist in all phases of the registration process when necessary to resolve problems and to report serious or chronic violations of the statutes to the appropriate authorities.

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Recent Problems

During recent years, numerous problems involving death registration have arisen. These problems include obtaining the correct identities of the deceased, determining the appropriate attending physicians in unusual cases, helping to determine which cases are medical examiner cases, protecting the privacy of decedents and their families insofar as legally possible, obtaining physicians’ signatures when the attending physicians are not available, and replacing lost certificates.

In every case, effective communication between the physician concerned, the funeral director involved, local health department personnel, and the appropriate state office has enabled the problem to be resolved and the death registered. Many of these situations have caused delays that resulted in failure to meet the specific time requirements of NCGS 130A. However, when communication with and cooperation among the parties involved occur, the state registrar has considered such delays to have

been unavoidable and has not taken legal or administrative action.

Assistance Is Available

Both the state registrar and the chief medical examiner are available to provide direct assistance when necessary to resolve any death registration problem in the event efforts of the health department staff have failed. Additionally, staff in the Vital Records Branch of the State Center for Health Statistics include field service representatives who are available to assist in the resolution of problems anywhere in the state. With good-faith efforts to comply with registration requirements, effective communication with local health department personnel, and cooperation by all parties involved, we can continue to achieve fast and accurate death registration in North Carolina.

In the event of a problem involving the completion of any death certificate, first call the deputy registrar or the director of the local health department. If the problem cannot be resolved, contact the staff of the Vital Records Branch’s Field Services Program at (919) 733-3526, or, if the problem involves a medical examiner case, the Office of the Chief Medical Examiner at (919) 966-2253. No matter how complex the problem, assistance is available.

Thanks is given the North Carolina Medical Board for its cooperation in performing an important role in this state’s death registration process.

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