

## McPhee, Dennis (DOL)

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**From:** Weldon, Jeffrey N (DOH)  
**Sent:** Tuesday, April 14, 2009 2:02 PM  
**To:** McPhee, Dennis (DOL)  
**Subject:** Death with Dignity Direction for Funeral Directors  
**Attachments:** MedicalCertifiers.pdf; FuneralDirectors.pdf

Hello Dennis,

I am following up from our initial meeting concerning Death with Dignity Act with the final directions that were created by the Washington State Department of Health for funeral directors and physicians/medical certifiers. If you can help the Washington State Department of Health communicate these directions concerning how to review a death record to your members we would greatly appreciate it. I have include the medical certifier instructions for the funeral homes to distribute to their certifying physicians if they would like to help in the communication of the requirements of the act pertaining to the death record.

Thank you,

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## Instructions for Funeral Directors: Compliance with the Death with Dignity Act

Washington's Death with Dignity Act (RCW 70.245) states that "...the patient's death certificate...shall list the underlying terminal disease as the cause of death." The act also states that, "Actions taken in accordance with this chapter do not, for any purpose, constitute suicide, assisted suicide, mercy killing, or homicide, under the law."

To ensure compliance with the strict requirements of the Death with Dignity Act:

1. Carefully review the cause-of-death section of **every** death record. Watch for any language that may indicate that the decedent used the Death with Dignity Act.
2. The following terms should not be included in the death record:
  - a. Assisted suicide
  - b. Physician-assisted suicide
  - c. Death with Dignity
  - d. I-1000
  - e. Mercy killing
  - f. Euthanasia
3. If the cause-of-death section contains any of the terms above (or any other language that may indicate use of the Death with Dignity Act), **DO NOT SIGN** (or electronically approve) the certificate. *Call the State Registrar at the Center for Health Statistics (360-236-4307) immediately for guidance on how to proceed.*
4. The terms Secobarbital, Seconal, Pentobarbital, and Nembutal may indicate use of the Death with Dignity Act. If the cause-of-death section lists any of these terms, *call the State Registrar at the Center for Health Statistics (360-236-4307) immediately for guidance on how to proceed.*

If the State Registrar concludes that the death record contains any language that violates the Death with Dignity Act, you will be required, under RCW 70.58.030, to obtain a correction from the medical certifier before a burial-transit permit will be issued by the Local Registrar.<sup>1</sup>

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<sup>1</sup> Under state law, the State Registrar of Vital Statistics "shall prepare and issue such detailed instruction as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. ... The State Registrar shall carefully examine the certificates received monthly from the local registrars, county auditors, and clerks of the court and, if any are incomplete or unsatisfactory, the State Registrar shall require such further information to be furnished as may be necessary to make the record complete and satisfactory." RCW 43.70.160.



## **Instructions for Physicians and Other Medical Certifiers for Death Certificates: Compliance with the Death with Dignity Act .**

Washington's Death with Dignity Act (RCW 70.245) states that "...the patient's death certificate...shall list the underlying terminal disease as the cause of death." The act also states that, "Actions taken in accordance with this chapter do not, for any purpose, constitute suicide, assisted suicide, mercy killing, or homicide, under the law."

If you know the decedent used the Death with Dignity Act, you must comply with the strict requirements of the law when completing the death record:

1. The underlying terminal disease must be listed as the cause of death.
2. The manner of death must be marked as "Natural."
3. The cause of death section may not contain any language that indicates that the Death with Dignity Act was used, such as:
  - a. Suicide
  - b. Assisted suicide
  - c. Physician-assisted suicide
  - d. Death with Dignity
  - e. I-1000
  - f. Mercy killing
  - g. Euthanasia
  - h. Secobarbital or Seconal
  - i. Pentobarbital or Nembutal

The Washington State Registrar will reject any death certificate that does not properly adhere to the requirements of the Death with Dignity Act.<sup>1</sup> If a death certificate contains any reference to actions that might indicate use of the act, the Local Registrar and Funeral Director will be instructed, under RCW 70.58.030, to obtain a correction from the medical certifier before a permit to proceed with disposition will be issued.

Call the Department of Health's Center for Health Statistics (360-236-4307) for guidance on how to proceed if you have any questions regarding compliance with cause of death reporting under the Death with Dignity Act.

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