

# Policy Statement

Title:	Amending Death or Fetal Death Records	Number: CHS-D9-2023
References:	RCW 70.58A.040, 70.58A.500	
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Effective Date:	January 1, 2023	
Supersedes:	September 1, 2011	
Approved By:	Katie Hutchinson	

Under specific circumstances a death or fetal death record may need to be amended after being registered by the State Registrar. The State Registrar may amend a death or fetal death record after receiving a complete Affidavit for Correction form (DOH 422-034) or Facility Affidavit for Correction form (DOH 422-192).

A death or fetal death record filed and registered with the Department of Health (department), may be amended only by authorized staff, delegated by the State Registrar. Authorized staff may only make changes to a death or fetal death record upon receipt of properly completed and signed Affidavit for Correction form or Facility Affidavit for Correction form and the completion of any other steps or forms required by this policy, department rules, or Chapter 70.58A RCW. The department will permanently retain the Affidavit for Correction form or the Facility Affidavit for Correction form as documentation of the change on the record.

A death or fetal death record may be amended with a complete amendment application. If the amendment application is not complete and filed in accordance with this policy, department rules, or Chapter 70.58A RCW, the State Registrar will deny the amendment application.

## **Section 1: Amendment applications submitted by the public**

### **Complete amendment application**

For each amendment application, the requestor must submit the following:

- A completed and signed Affidavit for Correction form
- Copy of their government issued identification card
- Any required proof documentation

### **Complete Affidavit for Correction form**

A complete Affidavit for Correction form must include:

- The record type to be amended
- Information to identify the record
  - First, middle, last name listed on the record
  - Date of event

- Place of event
- Parent(s) first, middle, last name listed on the record
- Information about the person making the request
  - Name
  - Relationship to subject of the record
  - Mailing address
  - Telephone number or email address
- Incorrect information as it appears
- The correct information as it should appear
- Signature of the person making the request

An Affidavit for Correction form cannot be used to amend items in the confidential section of the fetal death record or make stylistic changes to the certification (See Policy CHS B-10).

Original signatures on a death or fetal death record will not be amended.

Death or fetal death records registered through a court order can only be amended or corrected with a court order. An Affidavit for Correction form cannot be used.

### **Acceptable Proof Documents**

Acceptable proof documents include:

- Hospital/medical record
- Full Numident Report (Social Security)
- Social Security Abstract
- Birth, marriage, or divorce record
- Copy of passport or enhanced identity document
- Certificate of Naturalization
- Permanent resident card (I-551)
- Health or life insurance policy
- Military record (DD-214)
- Official school transcripts (do not have to be in a sealed envelope to be valid)
- Government agency records for establishment of benefits (such as social services or Medicaid)

Driver's License, Social Security Card, family bible, or hospital decorative birth certificate are not allowable proof documents.

Proof documents must:

- Show the true facts that are being requested to be changed
- Include full name and date of birth
- Match exactly the correction requested on the Affidavit for Correction. Example, if you are requesting a correction from "Mary Doe" to "Mary Ann Doe", the proof must show the name to be Mary Ann Doe. Proof cannot show "Mary A. Doe" or "M. Ann Doe".
- Be from independent sources, when more than one proof document is required
- Have been established over five years ago (it could have been printed more recently) OR have been established within five years of birth, if correcting the child's information and child is under five.

Only documents listed below are exempt from the five-year rule and will be accepted from any period of time:

- Passport
- Permanent resident card (I-551)

The State Registrar may request additional proof documents be provided by the requestor if there is cause to question the validity or adequacy of the documents submitted.

The State Registrar will not accept any documentation that is clearly altered (e.g. scratched out information, information in different fonts, or white out).

**What can be amended on a death or fetal death record**

Only the entities listed below can request an amendment to the demographic section of a death or fetal death record.

Eligible Entity	Requirements
<p>Informant listed on the record</p> <p>The person who provided the information for the report of death.</p>	<ul style="list-style-type: none"> <li>• Affidavit for Correction form and at least one (1) proof document for any changes beyond administrative data entry errors.</li> <li>• The informant listed on the record can sign an Affidavit for Correction form identifying a new informant without proof documentation.</li> </ul>
<p>Qualified applicant (other than informant)</p> <p><i>For death records</i> this means decedent's spouse or registered domestic partner, parent, sibling or adult child or stepchild, or next of kin as specified in RCW 11.28.120.</p> <p><i>For fetal death records</i> this means parent, sibling, or grandparent.</p>	<ul style="list-style-type: none"> <li>• Affidavit for Correction form and at least one (1) proof document.</li> <li>• Must provide documentation to prove relationship status.</li> </ul>
<p>Legal representative</p> <p>A licensed attorney representing either the subject of the record or qualified applicant.</p>	<ul style="list-style-type: none"> <li>• Affidavit for Correction form and at least one (1) proof document.</li> <li>• Must submit certified copy of court records, legal documentation, or letter of representation that authorizes them to act as the legal representative.</li> </ul>

- The State Registrar will only consider requests to change the marital status on the death record under the following circumstances:
  - The informant listed on the record requests to change marital status with an Affidavit for Correction form and at least one (1) proof document;

- The alleged surviving spouse/partner provides a notarized affidavit signed by the informant and the alleged surviving spouse/partner stating that an error was made and stating the correct information, **and** a certification of the marriage/partnership or divorce record showing that the person to be listed as the surviving spouse/partner was married to/partnered or divorced with the decedent prior to death; or
  - The alleged surviving spouse/partner or their legal representative provides a certified court order from a probate court if a probate court made a determination on the marital status as part of the decedent's estate.
- The cause of death section of a death or fetal death record cannot be amended using the Affidavit for Correction form submitted by the public.

**Section 2: Amendment applications submitted by a funeral home, Medical Examiner, Coroner, medical certifier, or Local Health Officer**

**Complete amendment application**

For each amendment application, the requestor must submit the following:

- A completed and signed Facility Affidavit for Correction form
- Any required proof documentation

**Complete Facility Affidavit for Correction form**

A complete Facility Affidavit for Correction form must include:

- Information to identify the record
  - First, middle, last name listed on the record
  - Date of event
  - Place of event
  - Parent(s) first, middle, last name listed on the record
- Incorrect information as it appears
- The correct information as it should appear
- Information about the person making the request
  - Name
  - Title
  - Mailing address
  - Telephone number
- Signature of the person making the request

All requested corrections or changes to the record must be identified on the Facility Affidavit for Correction form and listed on separate lines.

A Facility Affidavit for Correction form cannot be used to amend items in the confidential section of the fetal death record or make stylistic changes to the certification (See Policy CHS B-10).

Any signature on a death or fetal death record will not be amended.

Death or fetal death records registered through a court order can only be amended or corrected with a court order. A Facility Affidavit for Correction form cannot be used.

### What can be amended on a death or fetal death record

Only the entities listed below can request an amendment to the demographic section of a death or fetal death record:

Eligible Entity	Requirements
Funeral director or funeral establishment staff listed on the record within twelve (12) months from the date of event	<ul style="list-style-type: none"> <li>• Facility Affidavit for Correction form for administrative errors only. Excludes date and time of death.</li> <li>• The funeral director or funeral establishment staff must submit the intake form as a required proof document.</li> </ul>
Medical certifier, medical examiner, coroner, or local health officer listed on the record	<ul style="list-style-type: none"> <li>• Medical certifier, medical examiner, coroner, or local health officer changes are only permitted when no funeral home is listed on the record.</li> <li>• Facility Affidavit for Correction form.</li> <li>• No proof documentation is required.</li> </ul>

- Once the record is filed with the state or local registrar, date of death and time of death can only be changed by the medical certifier, medical examiner, coroner, or local health officer who has jurisdiction.

Only the entities listed below can request an amendment to the cause of death section of a death or fetal death record:

Eligible Entity	Requirements
The original certifier* who signed or electronically approved the cause of death section  *certifier includes medical certifier, medical examiner, coroner, or local health officer	<ul style="list-style-type: none"> <li>• Facility Affidavit for Correction form.</li> <li>• No proof documentation is required.</li> </ul>
Another medical examiner or coroner <b>within the same office</b> as the original listed on the record	<ul style="list-style-type: none"> <li>• Facility Affidavit for Correction form.</li> <li>• No proof documentation is required.</li> </ul>
Another certifier* when the original certifier is <b>no longer available or not available for a month or more</b>  *certifier includes medical certifier, medical examiner, coroner, or local health officer	<ul style="list-style-type: none"> <li>• The administrator of the location or facility indicates on the Facility Affidavit for Correction form that the original certifier is not available (ex. death or retirement) and that another certifier will be submitting the Facility Affidavit for Correction form.</li> <li>• No proof documentation is required.</li> <li>• This will not change the original certifier name listed on the record unless such a change is specified on the Facility Affidavit for Correction form by the new certifier.</li> </ul>

<p>Medical examiner or coroner taking over jurisdiction</p>	<ul style="list-style-type: none"> <li>• Must use the Facility Affidavit for Correction form and clearly indicate that they are taking jurisdiction</li> <li>• Must include the current medical certifier listed on the record and provide their own information</li> </ul>
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- A medical certifier, coroner, medical examiner, or local health officer must submit a Facility Affidavit for Correction form within five calendar days of receipt of an autopsy result or other information that completes or amends the cause of death from that originally filed with the department. RCW 70.58A.200(12).

For the purposes of this policy the following terms are defined as follows:

- 1) Affidavit for Correction form. The standard form ([DOH 422-034](#)) used by the public prescribed and approved by the CHS that identifies the record, the specific information to be changed, the new or amended information, and the identity and signature of the requestor.
- 2) Coroner. The person elected or appointed in a county under chapter 36.16 RCW to serve as the county coroner and fulfill the responsibilities established under chapter 36.24 RCW. RCW 70.58A.010(6).
- 3) Facility Affidavit for Correction form. The facility form (DOH 422-192) prescribed by the State Registrar that can be used by funeral home, medical examiner, coroner, medical certifier, and local health officer. It identifies the record, the specific information to be changed, the new or amended information, and the identity and signature of the requestor.
- 4) Funeral director. A person licensed under chapter 18.39 RCW as a funeral director. RCW 70.58A.010(14).
- 5) Funeral establishment. A place of business licensed under chapter 18.39 RCW as a funeral establishment. RCW 70.58A.010(15).
- 6) Local health officer has the same meaning as in chapter 70.05 RCW. RCW 70.58A.010(24).
- 7) Medical certifier for a death or fetal death means an individual required to attest to the cause of death information provided on a report of death or fetal death. Each individual certifying cause of death or fetal death may certify cause of death only as permitted by that individual's professional scope of practice. These individuals include:
  - (a) A physician, physician's assistant, or an advanced registered nurse practitioner last in attendance at death or who treated the decedent through examination, medical advice, or medications within the twelve months preceding the death;
  - (b) A midwife, only in cases of fetal death; and
  - (c) A physician performing an autopsy, when the decedent was not treated within the last twelve months and the person died a natural death. RCW 70.58A.010(25).
- 8) Medical examiner. The person appointed under chapter 36.24 RCW to fulfill the responsibilities established under chapter 36.24 RCW. RCW 70.58A.010(26).

- 9) Midwife. A person licensed to practice midwifery pursuant to chapter 18.50 RCW. RCW 70.58A.010(27).
- 10) Physician. A person licensed to practice medicine, naturopathy, or osteopathy pursuant to Title 18 RCW. RCW 70.58A.010(28).