

DATA, RESEARCH, AND VITAL STATISTICS

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Good afternoon. My name is Theresa Roberts; a lot of you may know me as Terri. I am the Deputy State Registrar for the office of Data, Research and Vital Statistics and have worked in this office for the past 20 years. There has certainly been a lot of changes in the past 20 years. The office of DRVS is the custodian of the statewide system of vital statistics and is responsible for the proper administration, preservation and security of its official records and files from 1892 to present. My team and I are excited to host these virtual trainings, known as brown bag lunches, over the next several months. We hope to touch base on all vital records events and processes this year and hope to make recordings available for clerks to utilize in the near future.

Today, I have Melissa Boynton and Daniel O'Leary with me as panelist. They both specialize in death registration and electronic systems. Dan and Melissa will be paying close attention to the questions submitted through chat in the Q & A box while I am presenting. Feel free to submit your questions through the chat box anytime. Since we have a lot of information to cover, I will be muting all participants during the presentation but will allow some time for interaction and will open it up for Q & A's at the end.

DEATH REGISTRATION ~ PART 1 AGENDA ITEMS

- Electronic Death Registration System (EDRS)
- Death Certificate Form
- Filing of Paper-based Death Certificates
- Paper Death Certificates to be filed in EDRS
- Time Requirements
- Responsibility of Funeral Director or Authorized Person
- Responsibility of Health Care Provider
- Nursing Home Deaths
- Small Communities or Unorganized Towns
- Death Certificate Delays and Incomplete Certifications
- Medical Examiner Cases
- Referral of Cases
- Presumptive Death
- Death Occurring on Vessels or Aircraft on the High Seas
- Copies of Death Certificate
- Redacting Data or Information on Death Certificates
- How to Issue a Non-Certified Copy (Working Copy) from DAVE
- How to Issue a Certified Copy of a Death Certificate from DAVE
- Questions & Answers

In this webinar we will be touching base about death registration; who is responsible for the completion and filing of the death certificate, most current forms, required content, basic information about the disposition permit, disposition types, corrections/amendments when and if needed, and how to issue copies of the death certificate from DAVE. There will be polling questions at the end.

ELECTRONIC DEATH REGISTRATION SYSTEM (EDRS)

<http://www.mainelegislature.org/legis/statutes/22/title22sec2847.html>

- When a person dies in the State of Maine, the death certificate must be filed and registered in the Electronic Death Registration System (EDRS) maintained by the State Registrar of Vital Statistics. The EDRS (a module in DAVE) currently encompasses all deaths from January of 2011 to present.
- Death records prior to 2011 were filed as paper in the municipality in which the decedent passed away and/or resided (if a Maine resident).

Certified and/or non-certified copies may be only issued by the municipality in which the decedent passed away and/or resided in Maine, regardless if issued as paper or electronically from the EDRS.

Page 8- Municipal Clerks Handbook (Death Section)

Before we start off with the EDRS. I would like to discuss DAVE. DAVE is known as the Database Application for Vital Events. There are 3 module types in DAVE: the EDRS, EBRS and EMRS. DAVE contains death records from January of 2011 to present, Birth records from Sept of 1995 to present and marriage records from January of 2017 to present. In 2017, the law was amended requiring HCP's to use the EDRS. Vital records during these time frames must be issued from the system to ensure you have the most current version of the record. Corrections and amendments are done electronically. All clerks should have their own username and password to access the system. Please do not share your username with anyone else. The enrollment form may be found on DRVS website or by contacting our office directly.

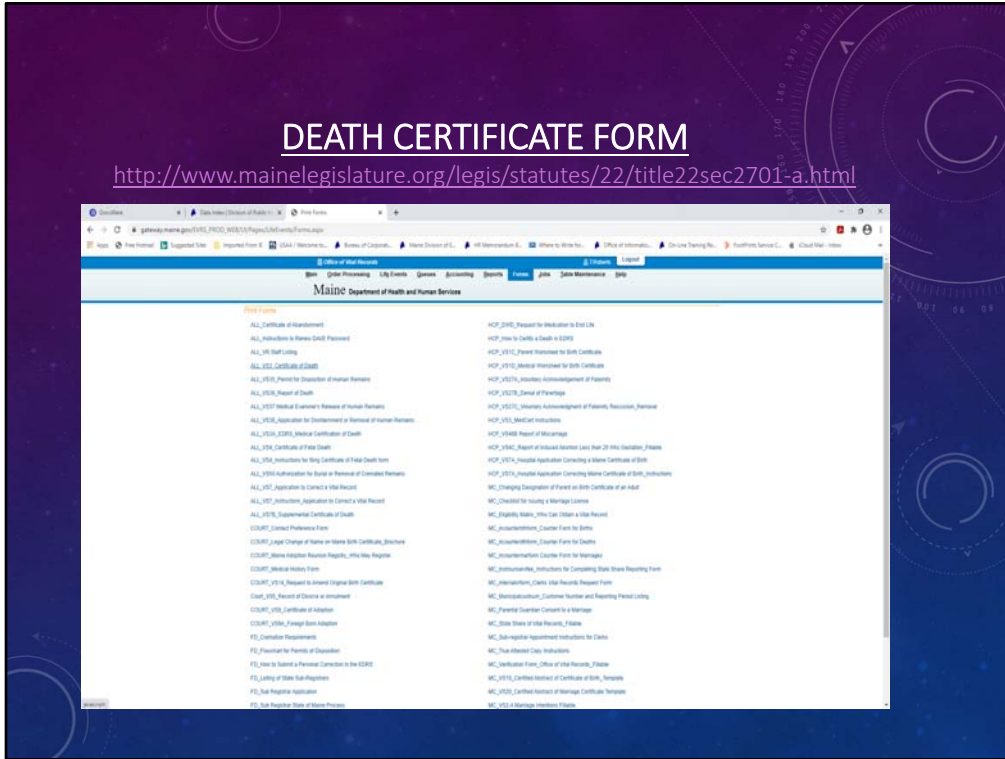
DEATH CERTIFICATE FORM

<http://www.mainelegislature.org/legis/statutes/22/title22sec2701-a.html>

- If the event the EDRS is not available or circumstances prevent electronic filing, (or in cases when an authorized person is in charge of the disposition of the dead human body), the Maine death certificate must be filed on the legal-size death certificate form (8.5x14) created to replace the former original standard and medical examiner forms. The death certificate (VS-3) form is printed on white legal-size (8.5x14) regular photocopy (20 LB) paper. Health care providers, funeral directors and municipal clerks may obtain the death certificate form and instructions for completion under "Forms, Print Forms" in the Database Application for Vital Events (DAVE) system or by contacting the Department directly at (207) 287-3771.
- In January of 2012, the Maine death certificate underwent a total redesign and the new certificate was released to be in compliance with the national standard certificate provided by the National Center for Health Statistics (NCHS). Instead of the previous multi-copy form, the death certificate (VS-3) is now a single legal-size page. The new certificate was designed with contemplation of the EDRS, to make better use of modern technology, streamline procedures and increase efficiency.

Page 8- Municipal Clerk's Handbook (death section)

After- Authorized persons are persons dedicated by the family to handle transportation and final disposition of the deceased family member. They must be designated in writing. We will be covering "Authorized Person" in Part 2- of the brown bag lunch series. Page 37 in the death portion of the clerk's handbook covers Authorized Persons and may be found on DRVS website at <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>.



All restrict forms may be found in the DAVE system under print forms. The most common ones used for clerks start with MC- then the form name or All.

DROP TO PAPER DC

<http://www.mainelegislature.org/legis/statutes/22/title22sec2847.html>

- There may be occasions when the health care provider (HCP) or medical examiner (ME) start the medical information in the EDRS, electronically affirm (sign) the death case and “drop to paper medical” when the certificate is for an authorized person, not a funeral director.

The screenshot displays the Maine Department of Health and Human Services web portal. The page title is "Maine Department of Health and Human Services". The main content area shows a form titled "401213 Willor Needs Coffin May-18-2017". The form is divided into several sections: "Death Registration Menu", "Medical Certification", "Disposition", "Medical Certificate", "Other Links", and "Form Items". The "Medical Certification" section is currently selected and shows the following items: "Disposition Permit", "Medical Certificate Release Form", "Drop to Paper", "Drop to Paper Medical", "Inpatient Exchange Copy", "Honey Copy", and "Mail Copy". The "Drop to Paper" and "Drop to Paper Medical" items have a red error message: "Cannot be printed unless event has a registered status." The "Form Items" section includes: "Maine to Medical Examiner", "Maine to Case Internal Sys Admin", "Transfer Case", "Table Copy", "Vehicle Registration", and "Search User".

There are occasion when a neighboring State funeral director completes this form since they do not have access to the EDRS. Next slide shows drop to paper dc.

DROP TO PAPER DEATH CERTIFICATE

example

Name Known to Physician (I, E.S.)		Department of Health and Human Services		118-	
Certificate of Death					
1a. First Name Spring		1b. Middle Name Sue Ann		1c. Last Name Day	
1d. Sex Female		1e. Race Unknown		1f. Marital Status Last Married	
1g. Date of Birth March 23, 2021		1h. Age (Yrs)		1i. Year of Birth March 23, 1945	
1j. Birthplace		1k. Was Decedent Ever in U.S. Armed Forces?		1l. Place of Death Hospital-dispatched	
1m. Health Status Northern Light Acadia Hospital		1n. Cause of Death Pneumonia		1o. Site or Venue of Death Bangor	
1p. Marital Status at Time of Death		1q. Marital Status at Time of Death		1r. Decedent's Usual Occupation	
1s. Education		1t. Ancestry		1u. Race	
1v. Residence State		1w. Residence County		1x. Residence Street and Number	
1y. Residence City or Town		1z. Residence City or Town		1aa. Residence Street and Number	
1ab. Former First Name		1ac. Middle Name		1ad. Last Name Prior to First Marriage	
1ae. Former First Name		1af. Middle Name		1ag. Last Name Prior to First Marriage	
1ah. Informant Name		1ai. Informant Name		1aj. Marital Address	
1ak. Medical Disposition		1al. Place of Disposition		1am. Was Body Buried?	
1an. Place of Disposition		1ao. Location (City or town, state)		1ap. Signature of Funeral Director or Authorized Person	
1aq. Signature of Funeral Director or Authorized Person		1ar. Name and Address of Facility or Authorized Person		1as. Name and Address of Facility or Authorized Person	
1at. Signature and Title of Physician To the best of my knowledge, death occurred at the time, date, and place, due to the cause(s) and manner as stated. → <i>Chief of Medicine</i> → <i>Chief, Bangor, Maine 04401</i> Signature Electronically Authenticated		1au. Time of Death 06:12 AM Actual time of death		1av. Time of Death March 23, 2021	
1aw. Year of Death 06:12 AM Actual time of death		1ax. Manner of Death Natural		1ay. Medical Examiner's Case Number Yes	
1az. Part I Immediate Cause of Death (Other than on conditions resulting to death) → <i>Congestive Heart Failure</i> → <i>Acute asthma</i>		1ba. Part II Underlying Cause of Death (Other than on conditions resulting to death) → <i>Congestive Heart Failure</i> → <i>Acute asthma</i>		1bb. Approximate Interval Between Onset and Death → <i>4 HOURS</i> → <i>1 YEAR</i>	
1bc. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I		1bd. Registrar		1be. Registrar	
1bf. Registrar		1bg. Registrar		1bh. Registrar	

Notice all the medical information has been completed. Authorized person must complete “decedent and disposition” information and present to DRVS to be entered into the EDRS. This may be used to issue a permit for burial or temp storage if signed and certified. All other methods of disposition require the dc to be registered.

PRINTING FORMS ON SITE

Page B - Municipal Clerk's Handbook (death section)

Printing forms on-site: All forms, certificates, electronic data files, and reports used in the system of vital statistics are the property of the Department and must be surrendered to the state registrar upon demand. The forms prescribed and distributed by the state registrar for reporting vital statistics shall be used only for official purposes. Only those forms furnished or approved by the state registrar shall be used in the reporting of vital statistics or in making copies of records. Electronic data records will be accepted only when they have been produced by software provided or approved by the state registrar and when standards set by the state registrar are met.

FILING OF PAPER-BASED DEATH CERTIFICATES

Page 9-11- Municipal Clerk's Handbook (death section)

- Only a Maine licensed funeral director or an authorized person may file a death certificate.
- Paper death certificates only exist when completed by an Authorized Person (in lieu of a funeral director) and should be filed directly with the Department.
- All signature areas on the death certificate must be signed and certified (signature of the funeral director or authorized person and the signature of the health care provider). Paper death certificates must be completed in BLACK ink, contain no cross outs and the cause of death must be typed or legibly hand printed. No cursive.
- The Department or municipal clerk at the place of death must review all paper death certificates for completion, any obvious errors or incomplete information prior to issuing a disposition permit.



After- Clerks may use the death certificate to issue a permit for final disposition depending on the method of disposition. The paper dc may be fax to DRVS for enter in the EDRS and the original may be mailed. Once entered and registered (assigned a SFN) clerks may issue a non-certified or certified copy from the system.

ERRORS ON PAPER-BASED DEATH CERTIFICATES

PERSONAL INFORMATION

Page 9- Municipal Clerk's Handbook (death section)




Oops!

Should any noticeable errors or incomplete information become apparent upon reviewing the personal information on the death certificate, the municipal clerk at the place of death may return the death certificate to the funeral director or authorized person for correction or completion.

In the event the correction or completion is done by the municipal clerk of the place of death, the funeral director or authorized person must be present and in agreement that the information is wrong before any changes are done. The municipal clerk must make a notation on the back of the death certificate of the items corrected and the date the correction or completion was done before the death record is accepted for filing.

After a death certificate has been accepted for filing (registered), it may not be changed in any way at the municipal level. Corrections or completions must be made using the VS-7 correction form presented directly to the Department with the appropriate documentation and required fee, if applicable.



ERRORS ON PAPER-BASED DEATH CERTIFICATES

MEDICAL INFORMATION

Page 9- Municipal Clerk's Handbook (death section)

Should any noticeable errors or incomplete information become apparent upon reviewing the medical information (date of death, place of death, facility name, county of death, and city or town of death, and was autopsy performed, autopsy findings available prior to completion of cause of death, manner of death, injury at work, date of injury, time of injury, how injury occurred, place of injury, location and cause of death) on a death certificate, a supplemental certificate of death (SCOD) must be completed by the health care provider who certified the death and presented to the Department. A VS-7 correction form cannot correct medical information on a death certificate. If the death certificate is paper-based, the death certificate will then become a two-page death certificate. When certified copies are made, both pages (death certificate and SCOD) are to be copied onto blank safety paper (VS-31) and certified; this is considered one certificate. If the death certificate is electronic, the death certificate will be only one page with a notation of the medical items corrected or completed on the bottom of the electronic death certificate.

DISPOSITION TYPES ON DEATH CERTIFICATE

Page 10- Municipal Clerk's Handbook (death section)

A "method of disposition" must be checked on the death certificate. This will determine if a medical examiner's release form (VS-37) is needed to accompany the completed death certificate or report of death prior to issuing a disposition permit.

- Methods of disposition that **require** a medical examiner's release include **cremation, burial at sea, use by medical science, and removal from state**. A copy of the signed medical examiner's release must be retained permanently by the municipal clerk who issues the disposition permit. If the death is electronic (2011 to present), the medical examiner's release form may be scanned and attached to the death case in the Electronic Death Registration System (EDRS).
- Methods of disposition that **do not require** a medical release are **temporary storage and burial**.



ME releases must be retained for 15 years.



Sub-registrars will be discussed in Part II .

State of Maine
Department of Health and Human Services
Permit for Disposition of Human Remains

Distribution of Copies: Place of Final Disposition Place Permit Issued
 Place of Death Issuing Clerk - Retain Until Endorsement Received

1. FULL NAME OF DECEASED (First, Middle, Last, Jr., etc.) Who Needs Coffee		2. DATE OF DEATH (Mo., Day, Yr.) May 12, 2017	
3. SEX Male	4. AGE 59 Years	5. WAS DECEDENT EVER IN U.S. ARMED FORCES? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	6. PLACE OF DEATH (City or Town) (State) Westbrook, Maine
7a. NAME AND ADDRESS OF FACILITY OR AUTHORIZED PERSON Plummer Funeral Home (Augusta) 16 Pleasant St Augusta, Maine 04330		7b. FUNERAL ESTABLISHMENT LICENSE NUMBER HO9116	
8. PERMISSION REQUESTED FOR: (Check All That Apply) <input type="checkbox"/> Temporary Storage <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Cremation <input type="checkbox"/> Entombment <input type="checkbox"/> Removal From State <input type="checkbox"/> Burial at Sea <input type="checkbox"/> Use by Medical Science <input type="checkbox"/> Disinterment			
9. AUTHORIZATION FOR PERMIT <input type="checkbox"/> Completed Death Certificate <input type="checkbox"/> Report of Death (Funeral Directors Only) <input type="checkbox"/> Medical Examiner's Release for Cremation, Burial At Sea, Use by Medical Science <input type="checkbox"/> Application or Court Order for Disinterment <input type="checkbox"/> Facility Physician letter for disposition of fetal remains less than 20 weeks gestation or product of induced abortion of any gestation			
PERMISSION IS HEREBY GRANTED TO REMOVE AND DISPOSE OF THE HUMAN REMAINS IDENTIFIED ABOVE			
10. SIGNATURE OF CLERK OR (see #1)		10b. CITY OR TOWN	10c. DATE SIGNED (Mo., Day, Yr.)
→			
11. SIGNATURE OF SUBREGISTRAR		11a. SUBREGISTRAR OF (List Municipality appointed by:)	11c. DATE SIGNED (Mo., Day, Yr.)
→			
DISPOSITION			

ISSUING THE DISPOSITION PERMIT

The Department, municipal clerk, appointed sub-registrar or the funeral director applying for the disposition permit must ensure items #1 through #9 on the permit are completed and match the death certificate (paper or electronic) or the report of death exactly.

The disposition permit is not valid until the Department, municipal clerk or appointed sub-registrar has signed the permit (item #10 or #11 on the permit).

In this example, only the city of Westbrook (place of death), city of Augusta (place where funeral establishment is located) and the Department may issue this permit or their appointed sub-registrars. We will be discussing sub-registrars ore in depth on Thursday's webinar – Part II.

DISPOSITION PERMIT CHEAT SHEET

Page 11- Municipal Clerk's Handbook (death section)

- The municipality listed in 10b or 11b on the Disposition Permit collects the \$20.00 issuing fee.
- The issuing clerk or sub-registrar cannot sign as person in charge of final disposition on the disposition permit unless the remains were placed in temporary storage and the funeral director owns the storage facility specified.
- The place of death municipality, the place the permit issued municipality and/or the Department, and place of final disposition municipality is where the endorsed disposition permit is filed (unless scanned and attached in the EDRS).
- Deaths occurring at the United States Department of Veteran's Affairs (also known as Togus) are filed directly with the Department and the disposition permit must be issued by the Department or an appointed sub-registrar of the Department. The Department collects the \$25.00 issuing fee.

Who gets the fee? No more handling fee. Conflict of interest (#16-31). Clerks have access to view all deaths and attached permits. Permits are public records. Clerks who have appointed sub-registrars should communicate how the fee and endorsed permit is handled.

ENDORSEMENT & RETENTION OF PERMIT

Page 10-11 Municipal Clerk's Handbook (death section)



- On occasion, there may be more than one copy of the disposition permit depending on who is issuing the permit. The Department, issuing clerk or sub-registrar must ensure all copies are completed and signed and retain the “Issuing Clerk-Retain Until Endorsement Received” until the endorsed copy is received following final disposition (may be scanned and attached to the death case in the EDRS). The other copies of the disposition permit are distributed to the municipal clerks at the place of final disposition, place of death, and place permit issued as indicated at the top of the VS-35 form (or scanned and attached to the death case in the EDRS). Municipal clerks may search and view all death cases in the EDRS (2011 to present) and may view and print any scanned attachments, if or when needed.
- If an endorsed copy of a disposition permit for final disposition is not returned to the municipal clerk or sub-registrar who issued it within 21 days after the date of death, the issuing authority shall report the matter to the Department and the Board of Funeral Service for investigation.

Look at the top of the permit.



PAPER DEATH CERTIFICATES TO BE FILED IN EDRS

Page 11- Municipal Clerk's Handbook (death section)

Once both the personal data/information and medical certification have been completed and certified/signed by the funeral director/authorized person and the health care provider on the paper death certificate, the certificate must be presented directly to the Department.

The Department will enter the data/information exactly as it appears on the paper death certificate into the Electronic Death Registration System (EDRS) making the certificate available to the place of death municipality and the decedent's resident municipality so that certified copies may be issued. The paper-based death certificate will be scanned and attached to the death case in the EDRS.

TIME REQUIREMENTS

[HTTPS://WWW.MAINE.GOV/SOS/CEC/RULES/10/CHAPS10.HTM#146](https://www.maine.gov/sos/cec/rules/10/chaps10.htm#146)

Page 11- Municipal Clerk's Handbook (death section)

- Department regulations (10-146 CMR Chapter 5 rules) specify the registration time requirements for completing the death certificate depending on who initiates the certificate.
- The funeral director or authorized person must ensure that a completed death certificate is registered within **five days** after the day on which death occurred, unless there are unusual extenuating circumstances.
- The death certificate is considered "registered" once both the funeral director and health care provider have completed and signed/certified and the record has been assigned a State File Number.
- Certified copies of the death certificate may then be issued by the Department, the municipality where the death occurred and/or the municipality where the decedent resided in Maine.






Report of death will be discussed in Part II.

RESPONSIBILITY OF HEALTH CARE PROVIDER
Revised: 2018 Principal Clerk's Handbook (death section)

- The death certificate (or death case) may be completed by a health care provider or a funeral director. The medical certification of the cause of death must be completed and certified within **24-48 hours*** after death by a health care provider authorized to practice in the State who has knowledge of the decedent's medical condition except when the death falls under the jurisdiction of the medical examiner. In the absence of the standard health care provider or with his or her approval, the death certificate may be completed and certified by a health care provider associated with the standard health care provider in practice or covering for him/her during his/her absence. A health care provider designated for this purpose by the standard health care provider or by OCME must be permitted access to the recent medical history if due to natural causes.
- In the event a health care provider cannot adequately determine the cause of death until laboratory or autopsy studies, or referral to records not immediately available within the time prescribed for the certificate, the death shall be reported to the Office of the Chief Medical Examiner (OCME). Deaths due to natural causes may be referred back to the health care provider by OCME for medical certification as specified in Title 22 M.R.S. §3025.

Death certificates with pending cause of death may be issued; it is recommended to inform the entitled applicant that the cause of death is pending before purchasing more than one copy.



NURSING HOME DEATHS

Page 13- Municipal Clerk's Handbook (death section)

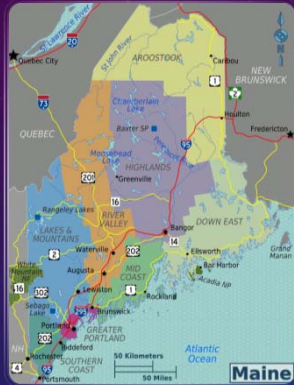
- If the decedent was a resident of a nursing home* at the time of death and the health care provider in charge of the decedent's care or another health care provider designated by the health care provider in charge must examine the body prior to completing the certification of death process unless the health care provider had examined the decedent within 48 hours prior to death or examined the decedent within two weeks prior to death in the case of a terminally ill patient.

*Any health care provider who fails to complete the medical certification of the cause of death fully, in a timely manner, or who fails to examine the body of a nursing home resident prior to certifying cause of death must be reported to the Board of Licensure in Medicine, the Board of Osteopathic Licensure or the State Board of Nursing, whichever is appropriate, by the State Registrar of Vital Statistics of the Department of Health and Human Services as specified in 22 M.R.S. 2842.(2).

Body viewed after death question on death certificate must be answered “yes” for nursing home deaths unless hcp examined the patient within 48 hours of death. This is a good thing for clerks to know if or when a paper dc is presented.

SMALL COMMUNITIES OR UNORGANIZED TOWNS

Page 13- Municipal Clerk's Handbook (death section)



- The Department maintains a listing of unorganized towns/townships where the records of events occurring in these locations or communities are to be filed. The Electronic Death Registration System (EDRS) has built in error messages when the place of death city/town is not a legal municipality and may prevent a health care provider from certifying the case unless the error message is saved and overwritten. The Department encourages health care providers to select a legal municipality from the municipality lookup.
- Small communities within a municipality may be entered in the decedent's resident municipality field at the discretion of that municipality. Examples of deaths for small communities within a municipality are Deering Oaks, when the legal municipality is the City of Portland; South China, China Village and Weeks Mills is really the Town of China; Belgrade Lakes is really Belgrade.
- The Department is working with municipal clerks to maintain a current listing and preferences of each municipality. The legal municipality is always preferred for filing, registration and issuing purposes as well as the data purposes. It is equally as important when filing the electronic process vs paper process.

The place of death should always be a legal town (not a unorganized town or small community within a city/town). Example the Town of China has several small communities; Weeks Mills, South China, China Village and South China but the legal municipality must state "China" for issuing purposes and is the municipalities preference. Please communicate with your funeral directors if/when needed. Funeral directors should be making the selection from the drop down and not typing in the information to avoid issues. The EDRS does have built in checks/edits to help, but on occasion some do get missed since the system is set to auto registration. Auto registration means once the funeral director and health care provider have sign/affirmed and corrected any errors, the system will automatically register the death record and assign a state file number.

DEATH CERTIFICATE DELAYS AND INCOMPLETE CERTIFICATIONS

<http://www.mainelegislature.org/legis/statutes/12/title12sec2842.html>

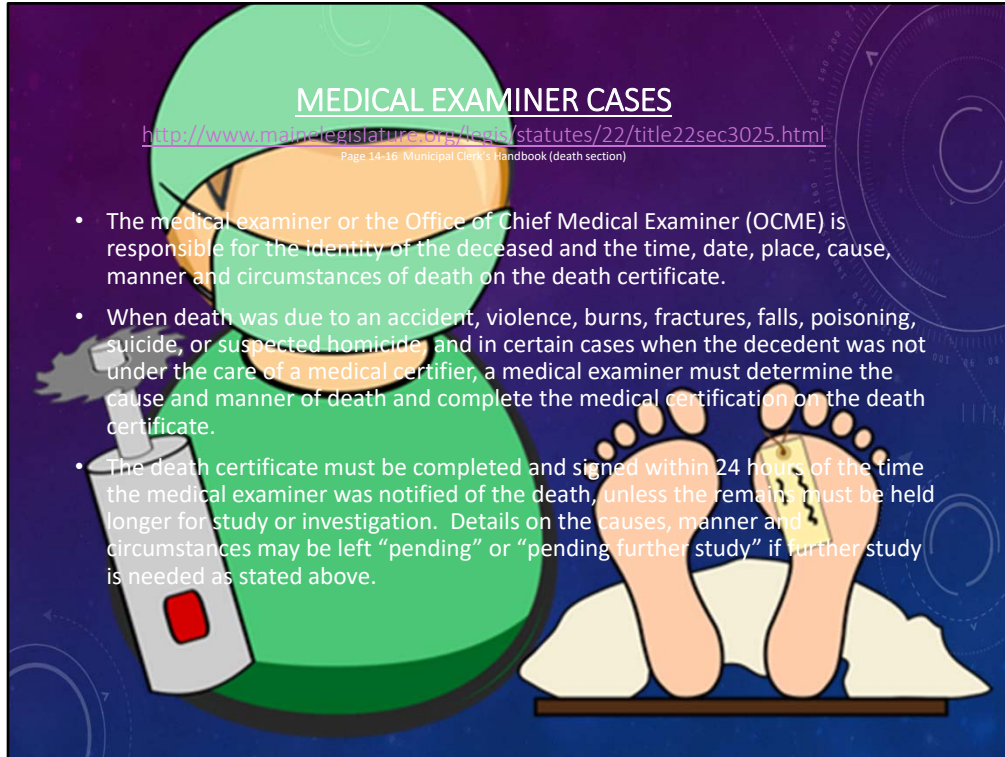
Page 13+14 Municipal Clerk's Handbook (death section)

In some cases, a funeral director may use a Report of Death (VS-36) when they are unable to obtain a signed death certificate from the health care provider before the body is buried or removed from the state.

- ✓ Delays in preparation of death certificates need not result in delays in burial unless a medical examiner or law enforcement authorities require additional time to complete an investigation.
- ✓ When the cause of death cannot be determined until autopsy results become available, the health care provider may, if satisfied that death is due to natural causes, complete as much of the cause of death section as possible and indicate that autopsy results are pending. The death certificate may then be filed, and a disposition permit may be issued. The Department will query the health care provider for information to complete the death certificate.
- ✓ Such "pending" death certificates are then finalized by means of the Supplemental Cause of Death (SCOD) form furnished by the State Registrar. SCOD's must be submitted (paper or electronically) by the health care provider or medical examiner who certified the original death certificate unless circumstances that make it a medical examiner case (see below) or when inquiry as to the cause of death is required by law, the medical examiner or the Office of Chief Medical Examiner shall complete and sign the SCOD as specified by department rule. A certification need not be completed before the remains are ready for release.

The Department will work with funeral directors and health care providers who are chronically delinquent in filing death certificates in order to obtain better reporting and notify the appropriate board of licensure or registration when necessary.

View Report of Death form. Report of death is typically used by funeral directors when a death certificate is incomplete (or pending) and the family would like to proceed with the burial. A completed Report of Death may be presented to the place of death municipality by a funeral director for the issuance of a disposition permit to proceed with the burial. The report of death must name the attending provider and state the death was due to natural causes. The OCME is reluctant to issue Reports of Death when final disposition is "removal from State" until the certificate is complete with a cause of death. The Report of Death provides the funeral director with an additional 21 days to complete a regular death certificate. Municipal clerks should follow up with funeral directors after 21 days to ensure the completed death certificate is filed.



MEDICAL EXAMINER CASES

<http://www.mainelegislature.org/maine/legis/statutes/22/title22sec3025.html>
Page 14-16 Municipal Clerk's Handbook (death section)

- The medical examiner or the Office of Chief Medical Examiner (OCME) is responsible for the identity of the deceased and the time, date, place, cause, manner and circumstances of death on the death certificate.
- When death was due to an accident, violence, burns, fractures, falls, poisoning, suicide, or suspected homicide, and in certain cases when the decedent was not under the care of a medical certifier, a medical examiner must determine the cause and manner of death and complete the medical certification on the death certificate.
- The death certificate must be completed and signed within 24 hours of the time the medical examiner was notified of the death, unless the remains must be held longer for study or investigation. Details on the causes, manner and circumstances may be left "pending" or "pending further study" if further study is needed as stated above.

Death certificates with pending cause of death must be completed by the completion of a SCOD (electronic amendment). Discuss paper versus electronic SCOD's.



MEDICAL EXAMINER CASES continued

Page 14-16 Municipal Clerk's Handbook (death section)

In a medical examiner case, the body may not be embalmed, disposed of or removed from the State until the medical examiner has completed the investigation and signed the death certificate or has given written or verbal consent and a medical examiners release. These requirements are discussed further in the section of Cremation/Burial at Sea/Use by Medical Science or Removal from State.

CIRCUMSTANCES OF DEATH WHICH REQUIRE INVESTIGATION BY A MEDICAL EXAMINER

Page 15- 16 Municipal Clerk's Handbook (death section)

- ✓ A death due to burns, fractures, or falls.
- ✓ A death due to violence or poisoning.
- ✓ A sudden death of a person in apparent good health.
- ✓ A death occurring during medical procedures indicating gross negligence or when due to trauma or poisoning unrelated to the ordinary risks of the procedure.
- ✓ A death that occurs in a mental health facility or nursing home not due to natural causes.
- ✓ A death that occurs in police custody or when incarcerated in an institution and not due to natural causes.
- ✓ A death due to diseases, which are a threat to public health.
- ✓ A death where there is reason to believe that the cause of death has not been properly certified.
- ✓ A death due to Sudden Infant Death Syndrome and other deaths of children under 18 unless clearly due to natural causes.
- ✓ A death when the body is to be cremated.



The OCME has access to all deaths in the EDRS and may take control of death cases if/when investigation is needed. The EDRS has built in flags when the cause of death due to an accident, violence, burns, falls, overdose, poisoning, etc. If a health care provider (who is not a ME) is completing the cause of death in the system and the cause of death is flagged, the death case must be referred to the OCME for review/completion. The status bar on the death case in the EDRS will state “referred to ME”.

HOW DOES THIS APPLY TO CLERKS?

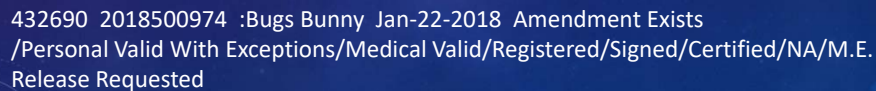
When a medical examiners release is requested by a funeral director or the Department, the status bar on the death case will state "ME Release Requested" in red. Funeral directors need the ME release for certain types of disposition before a permit can be issued.

This does not pertain to municipal clerks and will not prevent the death record from being issued.



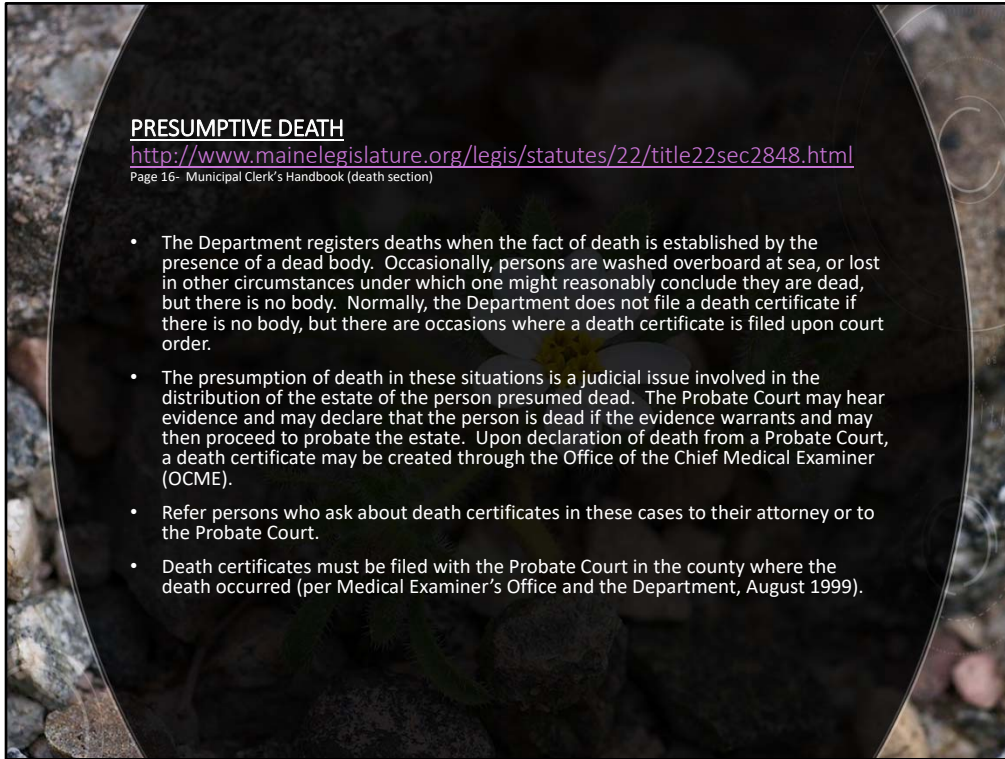
4696 :Danny Folsom Mar-09-2021
Personal Invalid/Medical Invalid/Not Registered/Unsigned/Uncertified/NA/FIPS Coding Required/Personal Pending/Medical Pending **M.E. Release Required**

Municipal clerks should ensure the death case has been registered and assigned a state file number prior to going through order processing to issue. The picture below shows what the status bar for a death record that has been registered looks like:



432690 2018500974 :Bugs Bunny Jan-22-2018 Amendment Exists
/Personal Valid With Exceptions/Medical Valid/Registered/Signed/Certified/NA/M.E. Release Requested

Not to be confused with the previous slide, when a funeral director needs to obtain a Medical Examiner Release to proceed with methods of final disposition such as cremation, use by medical science, removal from State or burial at sea they may now request the ME release electronically. I know several clerks have called because of this because of the bold red appearance and the fact it is new. Please disregard, it more for the funeral director and ME. As long as the record has a SFN as shown above, the record may be issued.



PRESUMPTIVE DEATH
<http://www.mainelegislature.org/legis/statutes/22/title22sec2848.html>
Page 16- Municipal Clerk's Handbook (death section)

- The Department registers deaths when the fact of death is established by the presence of a dead body. Occasionally, persons are washed overboard at sea, or lost in other circumstances under which one might reasonably conclude they are dead, but there is no body. Normally, the Department does not file a death certificate if there is no body, but there are occasions where a death certificate is filed upon court order.
- The presumption of death in these situations is a judicial issue involved in the distribution of the estate of the person presumed dead. The Probate Court may hear evidence and may declare that the person is dead if the evidence warrants and may then proceed to probate the estate. Upon declaration of death from a Probate Court, a death certificate may be created through the Office of the Chief Medical Examiner (OCME).
- Refer persons who ask about death certificates in these cases to their attorney or to the Probate Court.
- Death certificates must be filed with the Probate Court in the county where the death occurred (per Medical Examiner's Office and the Department, August 1999).

Presumptive deaths are deaths registered without the presence of a dead body and must be done by obtaining a court order. Persons may not file with the court until 5 years have passed and they must file with the probate court in the county where the death most likely occurred. Once the probate court has issued a declaration of death, the death certificate may be registered by the OCME or the department in the EDRS based on the information on the court order. The death certificate created must be marked as presumed on any copy issued. This is displayed in the amendment section of the death certificate when issued from the EDRS and on top of paper based records. Both electronic and paper records may also display this in the cause of death section.

DEATH OCCURRING ON VESSELS OR AIRCRAFTS ON THE HIGH SEAS

Page 17 - Municipal Clerk's Handbook (death section)

When a death occurs on the high seas, whether in an aircraft or on a vessel, the record is usually filed at the next port of call. The distance from shore over three miles becomes International Waters.



After 3 miles, the death must be reported to the nearest embassy or consulate who prepares “a Consular Report of the **Death** of an American **Abroad**”. Copies of that report are provided to the next-of-kin or legal representative and may be used in U.S. courts to settle estate matters. Information to obtain copies may be found by visiting the following website.:

<https://biotech.law.lsu.edu/cases/vs/gov/wtow4.htm>

COPIES OF DEATH CERTIFICATE

Page 17- Municipal Clerk's Handbook (death section)

Department regulations (10-146 CMR Chapter 11 rules) specifies the requirements for preparation of certificates and the minimum content that must appear on certified copies of vital records.

- Before the issuance of any death certificate, the municipal clerk must ensure the decedent was either a resident of their municipality or the death occurred in their municipality and the death certificate is registered. Municipal clerks must also ensure the applicant who is requesting the death record is entitled to it by law. <http://www.mainelegislature.org/legis/statutes/22/title22sec2706.html>

Depending on the date of event on the record, certified or non-certified copies of death records must be issued as specified below:

- ✓ Deaths records prior to January 2011 must be issued by photocopying the original death record in your files to the blank VS-31 safety paper. Municipal clerks may need to reduce the size on the photocopier to make the death record correctly fit to the safety paper.
- ✓ Records of death in municipal ledger books that cannot be removed to photocopied must be made by typing a death abstract, form VS-30. The fillable form may be found under "Forms, Print Forms" in the Database Application for Vital Events (DAVE) system or by contacting the Department directly at (207) 287-3771.
- ✓ Death records prior to 1892 must NOT be issued on safety paper, the law requires municipalities to issue the death on municipal letterhead or as a non-certified copy. The non-certified copy must contain the statement "NOT TO BE USED AS A LEGAL DOCUMENT".
- ✓ Deaths records from January 2011 to present must be issued from the Database Application for Vital Events, known as DAVE. Municipal clerks must make sure that the safety paper numbers have been added to DAVE prior to issuing any vital record from the system. Instructions on how to assign safety paper numbers may be found under the Forms, Print Forms tab in DAVE or in the General Section of this handbook

REDACTING DATA OR INFORMATION ON DEATH CERTIFICATES

Page 18- Municipal Clerk's Handbook (death section)

On occasion, applicants applying for a certified copy of a death certificate have requested the Department or a municipality to "leave off or mask" the cause of death section or the social security number on a death record. These types of requests from entitled individuals are reviewed on a case by case basis and are done only by typing an abstract (VS-10, VS-20 or VS-30). Municipal clerks may provide this service to entitled individuals requesting the redaction of certain data or information provided the following regulations specified in 10-146 C.M.R. Chapter 11, Section 5 (E) are met:

- The process, paper, and approval of all forms, formats and procedures used to issue certified copies or abstracts must be provided and approved by the state registrar. The approved forms are located in DAVE under "print forms".
- The minimum content by record type must appear on all certified abstracts; if it appears on the original vital record. (Please see required content by record type in next slide.)
- The data or information requested to be left off, masked or redacted on an abstract must contain chevrons <<<<<<>>>>>> to be consistent with the electronic registration systems, if or when data on a vital record is missing. The abstract must then be copied onto safety paper (VS-31).
- Each certified copy issued shall be certified as a true copy or abstract by the official in whose custody or possession the record is entrusted and shall include the date the copy is issued, the name (typewritten or printed) of the issuing official, the issuing official's signature or an authorized facsimile thereof, and the seal of the issuing office.

TYPING AN ABSTRACT

Page 18- Municipal Clerk's Handbook (death section)

When typing an abstract, please be sure to enter the data or information exactly as it appears on the original vital record. In the event an amendment or correction has been done to a vital record, please remember to include any amendments/corrections notations (or deceased watermarks) that appear on the original record. Please feel free to contact DRVS with any questions.

All certified copies of a death record must include at a minimum the following information, if it appears on the original record.

- ✓ Certificate or SFN (if applicable)
- ✓ Given name(s) Surname
- ✓ Generational identifier Date of death
- ✓ Date of birth or age Place of death
- ✓ Sex
- ✓ Date of filing



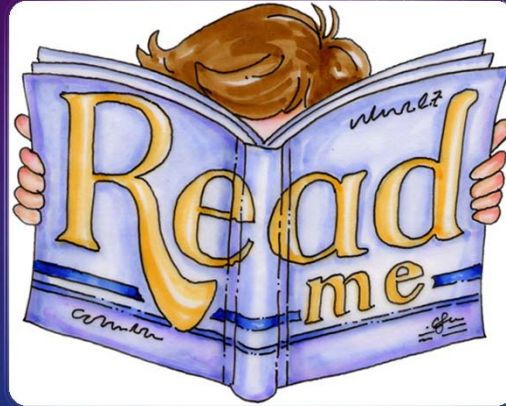
Show VS-30

HOW TO ISSUE A WORKING COPY OF A DEATH CERTIFICATE

Page 19- Municipal Clerk's Handbook (death section)

Live demo from DAVE; please see page 19 in the death section of the municipal clerks handbook for written instructions.

Portions of the municipal clerks handbook may be found on DRVS website at: <https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>



Live demo; instruction in handbook and DRVS website.

HOW TO ISSUE A CERTIFIED COPY OF A DEATH CERTIFICATE FROM THE EDRS

Page 20-22 Municipal Clerk's Handbook (death section)

Live demo from DAVE; please see page 20 in the death section of the municipal clerks handbook for written instructions.

Portions of the municipal clerks handbook may be found on DRVS website at:
<https://www.maine.gov/dhhs/mecdc/public-health-systems/data-research/vital-records/edrs/medical-certifiers.html>



Live Demo; instructions in handbook and provided on website.

QUESTIONS?



