

## **Death Certificate**

The applicant must provide the decedent's name and date of death. Additional information about the decedent may be required by the local registrar. The letter or application form (DOH-294A) must be signed. Local registrars may require that the signature be notarized. If the request is made by someone other than the spouse, parent or child of the deceased, the application or letter must be accompanied by supporting documents establishing a legal right or claim to obtain a certified copy or transcript, or a judicial or other proper purpose to obtain a certification.

### **A certified copy or a certified transcript of a death certificate may be issued:**

1. To a person with a New York State Court Order issued on a showing of necessity;
2. To the spouse, parent or child of the deceased;
3. To the lawful representative of the spouse, parent or child of the deceased;
4. To a person requiring the record for a documented legal right or claim;
5. To a person requiring the record for a documented medical need; or
6. To a municipal, state or federal agency when needed for official purposes.

Legal Right or Claim - A legal right or claim is established on the basis of documentation demonstrating that the requestor has a legal need requiring a copy of the death certificate. Some examples follow:

1. Letter from the bank to the surviving joint account owner requesting proof of the death of deceased account owner.
2. Letters Testamentary from a person claiming to be the executor or executrix of the estate.
3. Insurance policy showing that the requestor is a beneficiary.

Proper Purpose- A list of proper purposes does not exist. However, a proper purpose does not exist when the record is requested for profit-making or to satisfy idle curiosity. Consult the Vital Records Section for guidance on determining proper purpose on an individual case basis.

Confidential Medical Section - Commencing with death certificates filed on January 1, 1988, death certificate forms contain a confidential medical section which includes the cause of death and circumstances of death. When a certified copy or certified transcript is issued, **do not include the confidential medical section except upon specific request:**

1. By a person with a New York State Court Order issued on a showing of necessity for the confidential medical information;
2. By the spouse, parent or child of the deceased;
3. By the lawful representative of the spouse, parent or child of the deceased;
4. By a person requiring the confidential medical information for a documented medical need;
5. By a person requiring the confidential medical information to establish a legal right or claim; and
6. By a municipal, state or federal agency specifically requesting the confidential medical information for official purposes.