

NEW LAWS ON AFFIDAVITS AND COURT ORDERS TO CHANGE DEATH CERTIFICATES

The VFDA sought to clarify the requirements to amend death certificates by affidavit, and worked with patron, Kenny Alexander to achieve that goal for the funeral director industry. For decades, funeral directors had been able to amend certain information on death certificates by affidavit. Recently, it seemed that many more of the simple changes to death certificates were required to be done by court order. Court ordered corrections can be costly to families and funeral directors in both time and money.

In a review of [§32.1-269](#) and [12VAC5-550-440 through 460](#) “death certificate” was never mentioned, and both almost completely reference birth certificates. VFDA worked with the patron, General Assembly members and Vital Records to specify which decedent information would be correctable on death certificates by affidavit with supporting evidence. They are as follows:

- ✓ The correct spelling of a name of the deceased (*but you cannot change the name*)
- ✓ Sex
- ✓ Age
- ✓ Race
- ✓ Date or Place of Birth
- ✓ Date of Death
- ✓ Name of Institution, County of Death
- ✓ Military Status
- ✓ Name of Institution, City, County or Town where death occurred
- ✓ Street or place where death occurred
- ✓ Place of Residence of Deceased
- ✓ Correct spelling of deceased's parents
- ✓ Correct spelling of deceased's spouse
- ✓ Correct spelling of informant
- ✓ Education of deceased
- ✓ Social Security Number
- ✓ Kind or Type of Business
- ✓ Education of deceased
- ✓ Occupation of deceased
- ✓ Citizenship of deceased

Court orders are still required to do the following:

- ✓ Changing name of deceased
- ✓ Changing Name of deceased's parent or spouse
- ✓ Changing name of the informant
- ✓ Marital Status of the deceased
- ✓ Place of residence of the deceased when changed to a jurisdiction outside of the Commonwealth

Anything in the Physician section must be corrected by a physician.