

# Medical certificates: navigating diagnosis, dilemmas and demands

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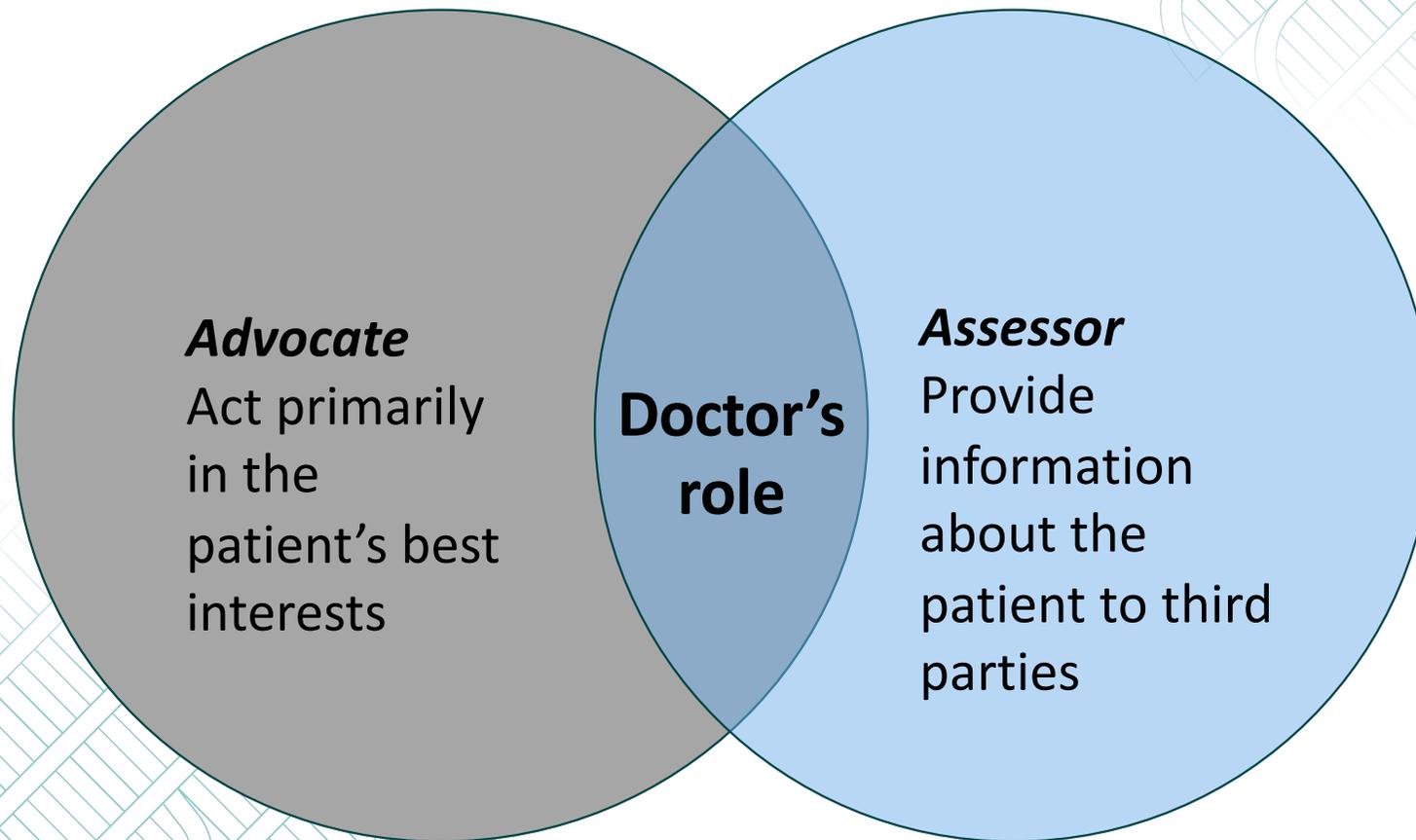
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## **A personal account**

## A dual responsibility



# A medical certificate has implications beyond the patient



## Medical certification

### Key points

Medical certificates are legal documents required for a variety of purposes including employment, insurance, death certification, court proceedings, or fitness to engage in a particular activity e.g. driving. They are often used by the receiving agency to guide ongoing management of your patient.

Receiving agencies will have specific requirements when they request a medical certificate. It is important that you understand that agency's requirements and your obligations as set out in any relevant legislation.

A range of factors beyond the underlying medical condition or injury can influence your assessment of the patient and your decision to issue a medical certificate. You need to be aware of these influences and how they affect your decision-making processes.

If you decide to issue a medical certificate, you should do so in a timely and accurate manner. Ensure that you distinguish between what the patient tells you and your own clinical observations.

In most situations, doctors are bound by a duty of confidentiality to their patients. If a receiving agency seeks more information, you should discuss with your patient what information they give you permission to disclose, before providing it to the receiving agency.

### About this statement

This statement outlines what is expected of you when you issue a medical certificate.

Medical certificates are legal documents required for a range of purposes related to employment, insurance, to confirm fitness to drive or engage in a particular activity, for court proceedings, and to certify death. There are several factors to consider when completing a medical certificate, noting also that the certificate will have implications for the patient and the receiving agency.

The guidance in this statement is not intended to be exhaustive and you should familiarise yourself with any relevant laws or additional requirements a receiving agency may have.<sup>1</sup>

<sup>1</sup> See also our statement on *Conducting medical assessments for third parties*.

<https://www.mcnz.org.nz/our-standards/current-standards/medical-certification/>

# Professional obligations when doctors issue a medical certificate



(1) Truthfulness and accuracy



(2) Separate patient's account from doctor's clinical observations



(3) Timeliness

# Professional obligations when doctors issue a medical certificate



(4) Work within  
doctor's scope



(5) Maintain  
confidentiality



(6) Do not issue a  
medical certificate for  
yourself or someone  
close



# **Navigating challenges when issuing medical certificates**

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# Q1: Should a diagnosis be disclosed on the medical certificate?



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- ✘ No – unless the diagnosis has direct implications.
- ✓ Obtain the patient's permission.
- ✋ Check – has the patient withheld any relevant information?

## Q2: Is it okay to backdate a medical certificate?

- It depends.
- Document:
  - reason(s) for backdating
  - what the patient says
  - the doctor's own clinical assessment.



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## Q3: What if the patient and doctor disagree about whether a medical certificate should be issued?

**Avoid issuing a medical certificate**  
based on the patient's  
demands alone.



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**Explore alternative  
management plan  
(where possible).**

**Provide information**  
about the patient's  
health condition without  
expressing a clinical  
opinion.

**Discuss the rationale**  
for declining a medical  
certificate.

## Q4: What if a third party queries the medical certificate?



Okay to verify that the patient was issued a medical certificate.



Obtain the patient's permission before disclosing any information.



Be clear about what information a doctor is allowed to disclose.

## Some closing thoughts

Medical certificates have (significant) implications beyond the patient.



Treat a medical certificate like prescribing – issue only if it is in the patient's best interests.



Ensure that any medical certificates issued:

- reflects clinical judgement

- advocates for the patient without misleading third parties.

