
Medical Certificate

- By Aaditya Koshe (Director, Anantavi Enterprises Pvt. Ltd.)

At some or the other point of life a patient might require a medical certificate. It is a validation document or a document of truth in the court of law. A doctor can be called upon for an oral validation of the certificate. Due to this a medical certificate should be issued with most responsibility and with all due diligence. Misuse of a medical certificate can lead to medico legal issues. In the following article we will be discussing few important medico-legal aspects of a medical certificate.

Definitions -

1. A document of written evidence vouching for truth of a fact as determined by the doctor issuing such a document.
2. This is the simplest form of Documentary Evidence and may pertain to facts such as – Birth, Sickness, Compensation, Vaccination, Death etc.

Legal Importance –

1. Accepted by the court of Law only when issued by duly qualified medical practitioner registered under the Medical Council Act.
2. I.P.C. – Sec. 197 – “Whoever issues or signs any certificate required by law to be given or signed or relating to any fact of which such certificate is by law admissible as evidence, knowing or believing that such certificate is false in any material point, shall be punished in the same manner as if he gave false evidence.”

Sec.463 – “Can be charged with forgery, if he makes, alters or effects any additions in a certificate with intent to deceive and the punishment for which is two years imprisonment and fine. ”

3. I.M.C.- False certificate – Professional misconduct – Appropriate action will be taken by the Medical Council. Name may be struck off from the register.
4. Civil suit for compensation – e.g., Issuing fitness certificate for unfit person
Issuing fitness certificate to colour blind person for driving (RTO)
5. Consumer Protection Act.
6. Criminal negligence – If the suit is filed by a person who has suffered damages while acting upon such a certificate.

Requirements-

1. Should be issued on Letter head, preferably with a duplicate copy. Get sign of the patient on the duplicate copy when you hand over the Certificate.
2. Do not issue a medical certificate without checking the patient personally.
3. Letter head must have
 - Doctor’ s name
 - Doctor’ s Qualification
 - Doctor’ s address
 - Doctor’ s Regd. No.
4. Must contain all the information about the ailment of the patient.
5. It should be true in every detail and should not be misleading.
6. It should be limited to the actual period during which the patient has been under the doctor’ s observation and care.
7. It should be framed according to the actual requirement of the patient. It should, in case of necessity, specify the number of days for which the leave is required.
8. It should not disclose the diagnosis without patient’ s express consent, unless required by law.
9. Statements must be TRUE to the doctor’ s knowledge and belief.
10. Always mention – Date and Time of issuing certificate.

11. Mention Two Identification marks of the patient on the certificate.
12. Take signature and / or Left-hand thumb impression of the patient on the certificate.
13. Can charge for any certificate except Death Certificate. DO NOT CHARGE FOR DEATH CERTIFICATE.
14. Make a note on the OPD paper or the IPD paper that a medical certificate has been issued to the patient.

Types of Certificates –

There are several types of certificates. In this list, I am going to cover those certificates, which a General Practitioner is expected to issue.

1. Birth Certificate
2. Sickness Certificate
3. Fitness Certificate – Admission in the school, Recovery after illness(sickness)
4. Vaccination certificate
5. Certificate on Will
6. Mental Fitness Certificate e.g. For Revolver License
7. Domiciliary Treatment Certificate
8. Life Certificate
9. Certifying Left hand thumb impression
10. Certificate of opinion in case the patient is referred for medical opinion.
11. Certificate of injury.
12. Certificate for L.I.C. Policy.
13. Certificate for withdrawing money from Provident fund.
14. Death Certificate.

A Certificate is issued by the doctor based on two factors - one his medical knowledge and the second is his information about the patient's health or ailment. It is wise not to issue a certificate if you have a doubt about any of these two factors.

