



**Medical Board Policy**  
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## 1 INTRODUCTION

The Medical Board of Western Australia frequently receives complaints/enquiries regarding the quality, accuracy and responsibility of practitioners issuing sickness certificates. Doctors who deliberately issue a false, misleading or inaccurate certificate could face disciplinary action under the *Medical Act 1894*.

Doctors are expected to consider the following points when a patient requests a sickness certificate.

## 2 GUIDELINES

- The certificate should be legible, written on the doctor's letterhead and should not contain abbreviations or medical jargon.
- The certificate should be based on facts known to the doctor. The certificate may include information provided by the patient, but any medical statements must be based upon the doctor's own observations or must indicate the factual basis of those statements.
- The certificate should:
  - Indicate the date on which the examination took place;
  - Indicate the degree of incapacity of the patient;
  - Indicate the date on which the doctor considers the patient is likely to be able to return to work; and
  - Be addressed to the party requiring the certificate as evidence of illness (eg. employer, insurer, magistrate).
- Under no circumstances should the examination date:
  - Be backdated or dated forward to correspond with an existing or proposed absence from work;
  - Be other than the date on which the patient attended the doctor and at which consultation a genuine medical condition was observed or was considered, in the doctor's judgment, to have been suffered in the recent past; or
  - Cater for days off work for holiday or special needs.
- A certificate may be issued by a doctor subsequent to a patient taking sick leave. However the certificate must:
  - State the date of the examination;
  - Clearly indicate whether it is based upon observations of symptoms during the examination or upon information provided by the patient that the doctor deems to be true; and

- Cover the period during which the doctor believes the illness would have incapacitated the patient.
- When issuing a sickness certificate, doctors should consider whether or not an injured or partially incapacitated patient could return to work with altered duties. The general nature of duties that should not be attempted should be noted on the certificate. Arrangements regarding altered duties are matters for negotiation between the patient and the employer.
- Patient rights to confidentiality must be respected; a diagnosis should not be included in a certificate without a patient's consent.
- Patients may request doctors to withhold information regarding their diagnosis. In such cases, it should be made clear to the patient that the information provided on the certificate may not be sufficient to attract sick leave and that an employer has the ultimate right to accept or to reject a certificate.
- The issuing of a *deliberately* false, incorrect or misleading certificate may lead to a complaint of infamous or improper conduct in a professional respect under the *Medical Act 1894*.