ESTABLISHING AND REGISTERING THE DEATH OF A CITIZEN OF THE REPUBLIC OF BULGARIA – LEGAL REGULATIONS

G. Velkovska

Abstract

The establishment of death in the Republic of Bulgaria is regulated by a specific ordinance. This is Decree № 14 dated 15 April 2004. medical criteria and conditions for establishing death, issued by the Ministry of Health. According to the requirements of Article 17 of Decree № 14 heads of medical institutions for hospital care, sent monthly report to the respective regional health inspection. This report contains information about the number of deaths at the hospital during the month.

Legal regulation of the act of death is reflected in Section IV of the Civil Registration Act. According to the text of Article 54, the act of death is compiled on the basis of a death notification no later than 48 hours after death. Compiling the act of death is carried out by an official civil status. Act of death (or copy extract) is a condition for the documentary:

- a/disposal and transport of deceased;
- b/cremation of the deceased.

Keywords: Death, Death establishment of medical criteria for determining death, Death notification, Statistics, Reporting, Cremation, Burial, Death certificate, Civil status, Deaths.

Introduction:
According to the National Statistical Institute of Bulgaria, the number of deaths in the country during 2008-2014 is as follows (Table № 1).

Documenting each of these deaths is a specific legal argumentation. In Bulgaria the establishment and registration of death is carried out on specific legal standards. These standards can be differentiated into two groups – health and administrative. Regulation of the two groups of standards is closely related to civil registration, which is the subject of a special law – Civil Registration Act.

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1. Establishment of death.

The establishment of death in the Republic of Bulgaria is regulated by a specific ordinance. This is Decree № 14 dated 15 April 2004. Medical criteria and conditions for establishing death, issued by the Ministry of Health.

Which officials, according to the regulations in this ordinance, establish death? According to Article 2, paragraphs 1 and 2, the establishment of death is done by a doctor (doctors) regardless of the place of death – outside a hospital or in a hospital.

To establish death, however, proceeded immediately after becoming a death.

What are the next steps of the medical officer (doctor) on documenting death?


The document «Notice of Death» is filled in triplicate, are designed for:

a/officer for civil status in the municipality, district, city hall or town in which territory established the death of the person;

b/respective regional health inspection (up to two months after the issuance of the document);

c/doctor issued the document, if the death occurred outside the hospital;

d/special register in the hospital, where death is established and documented in this hospital.

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### Table 1

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>110523</td>
</tr>
<tr>
<td>2009</td>
<td>108068</td>
</tr>
<tr>
<td>2010</td>
<td>110165</td>
</tr>
<tr>
<td>2011</td>
<td>108258</td>
</tr>
<tr>
<td>2012</td>
<td>109281</td>
</tr>
<tr>
<td>2013</td>
<td>104345</td>
</tr>
<tr>
<td>2014</td>
<td>108952</td>
</tr>
</tbody>
</table>

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2. Medical criteria and procedures for establishing death.

According to the text of Article 5 of Decree № 14 deaths occurred, where one of the following conditions:

a/ permanent and irreversible cessation of circulation and respiration;

b/ permanent and irreversible cessation of all functions of the brain and heart activity.
Death for the permanent and irreversible cessation of circulation and respiration, according to the text of article 6, paragraph 1 of the Decree № 14, is detected by physical examination. Through physical examination to check the presence there of:

- No palpable pulse of both carotid arteries and both femoral arteries;
- Auskultatury lack no of heartbeat;
- Absence of respiratory movement of the diaphragm and chest found in visual observation;
- Lack of breathing during auscultation of the chest (duplex).

According to the text of Article 8, paragraph 1 of the Decree № 14 death in a permanent and irreversible cessation of all functions of the brain and heart activity available is set at hospitals which take organs, tissues and cells. In these cases, the death is established by the permanent committee of three doctors.

3. Accountability and registration of death.

According to the requirements of Article 17 of Decree № 14 heads of medical institutions for hospital care, sent monthly report to the respective regional health inspection. This report contains information about the number of deaths at the hospital during the month.

Received monthly reports as provided by the regional health inspections in the respective regional statistical offices (structure of the National Statistical Institute) within one month of their receipt. Regional health inspections complete and also provide information on the causes of death with their four-digit codes adopted the International Statistical identification Classification of diseases and problems with health (tenth revision).


The act of death is one of civil documents (Table 3).

Legal regulation of the act of death is reflected in Section IV of the Civil Registration Act. According to the text of Article 54, the act of death is compiled on the basis of a death notification no later than 48 hours after death. Compiling the act of death is carried out by an official civil status. When the official begins to draw up the act of death?

According to the text of Article 55, § 1 and 3, the official shall proceed to the drafting of the act of death after receiving a death notification issued by the competent medical person, according to the requirements of Regulation № 14.

Immediately after the issuance of the act of death in writing, shall be issued an electronic death certificate.

What requisites must contain the act of death?
Death certificate

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Име</td>
<td>съвестно</td>
</tr>
<tr>
<td></td>
<td>съвестно</td>
<td>фамилно</td>
</tr>
<tr>
<td>2.</td>
<td>Дата на смърт</td>
<td>ден, месец, година</td>
</tr>
<tr>
<td>3.</td>
<td>Час и минути на смърт</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Място на смърт</td>
<td>населеното място (район, област, община)</td>
</tr>
<tr>
<td>5.</td>
<td>ЕГН</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Дата на раждане</td>
<td>ден, месец, година</td>
</tr>
<tr>
<td>7.</td>
<td>Място на раждане</td>
<td>населеното място (район, община, област)</td>
</tr>
<tr>
<td>8.</td>
<td>Пол</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Граждансство</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Семейно положение</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Поселен адрес</td>
<td>население място, община, област</td>
</tr>
</tbody>
</table>

Деписът е издален въз основа на акт за смърт № от дата

съставил в: население място (район, община, област)
Дата на издаване: ден, месец, година
Дължностно лице по гражданско състояние:

Подпис и печат...
These attributes are exactly specified in Article 60, paragraph 1 of the Civil Registration Act:

a/place of issuance of the act – district, municipality, village, region;
b/Number (№) of the act and the date of issuance;
c/date – day, month, year, hour and minute of death;
d/place of death – district, municipality, town or country;
e/names of the person:
   - Date and place of birth;
   - identification number;
   - Age;
   - Gender;
   - Citizenship;
   - marital status;
   - permanent address;
g/document certifying the death;
h/official who drew up the act of death:
   - Names;
   - identification number;
   - Or date of birth;
   - Personal signature.

a/Notes

Based on death certificate included in the register of civil status and archived on request may be issued a copy – excerpt.

According to the text of Article 88, paragraph 1 of the Civil Registration Act, a copy – an extract of the death certificate is issued to the heirs of the deceased. Act of death (or copy extract) is a condition for the documentary:

a/disposal and transport of deceased;
b/cremation of the deceased (Table 4).

Under Article 19, paragraph 1 of the Decree № 2 from 21.04.2011 for health requirements for cemeteries (graveyards) and disposal and transport of deceased issued by Ministry of Health, disposal of dead is carried out at the earliest 24 hours after the death under the Decree № 14 of 2004 for medical criteria and conditions for establishing death and obtaining a copy -excerpt of the death.

According to Article 20, cremation of a deceased person is performed after the establishment of a death certificate and presentation of the authorization for cremation.

Cremation is performed not earlier than 24 hours and not later than eight days after the death at storing body in freezer.
CONCLUSION:
Identification and registration of death of citizens of the Republic of Bulgaria is an important process, based on legal regulations. In the process, operators are active officers as medical personnel and employees of the local administration – competent persons in civil status. The exact legal regulation is a condition for the perfection of the actions of establishment and registration of death. Thus were created and favorable conditions for accurate statistical data in the demographic field. Monitoring and analysis of mortality are an important stage in the formation of adequate demographic situation policy of central and local government.

References:

1. Decree № 2 / 21.04.2011 for the health requirements of the cemetery (cemetery) and disposal and transport of deceased persons, issued by the Ministry of Health;
2. Decree № 14 from 15.04.2004 for Medical criteria and procedures for the establishment of death issued by the Ministry of Health.
3. Decree № 42 of 2004 for introducing statistical classification systems for coding of diseases and problems associated with health and medical procedures issued by the Ministry of Health;


5. www.lex.bg;

6. www.nsi.bg;

7. www.mh.government.bg