

# HOUSE BILL No. 4639

April 13, 1989, Introduced by Reps. Bennane, DeMars, Gubow, Pitoniak, Munsell, Martin and Leland and referred to the Committee on Public Health.

A bill to amend section 2 of Act No. 181 of the Public Acts of 1953, entitled as amended

"An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,"

being section 52.202 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 2 of Act No. 181 of the Public Acts of  
2 1953, being section 52.202 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 2. (1) ~~County~~ A COUNTY medical ~~examiners~~ EXAMINER  
5 or deputy county medical ~~examiners~~ EXAMINER shall ~~make~~  
6 ~~investigations as to~~ INVESTIGATE the cause and manner of death

1 in ~~all~~ EACH OF THE FOLLOWING cases: ~~of persons who have come~~  
2 ~~to their death~~

3 (A) THE CASE OF A PERSON WHO HAS DIED by violence. ~~or~~

4 (B) THE CASE OF A PERSON whose death was unexpected. ~~or~~

5 (C) THE CASE OF A PERSON WHO HAS DIED without medical  
6 attendance during the 48 hours ~~prior to~~ IMMEDIATELY PRECEDING  
7 the hour of death, unless the attending physician, if any, is  
8 able to determine accurately the cause of death. ~~or~~

9 (D) THE CASE OF A PERSON WHO HAS DIED as the result of an  
10 abortion, whether self-induced or otherwise.

11 (E) THE CASE OF A PERSON UNDER 2 YEARS OF AGE WHO HAS DIED  
12 SUDDENLY, CAUSE UNKNOWN.

13 (2) If ~~any~~ A prisoner in ~~any~~ A county or city jail dies  
14 while ~~so~~ imprisoned, the county medical examiner, upon being  
15 notified of the death of the prisoner, shall ~~make an examination~~  
16 ~~upon~~ EXAMINE the body of the deceased prisoner.

17 (3) IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1), IN  
18 THE CASE OF A DEATH DESCRIBED IN SUBSECTION (1)(E), THE COUNTY  
19 MEDICAL EXAMINER SHALL DO BOTH OF THE FOLLOWING:

20 (A) NOTIFY THE LAW ENFORCEMENT AGENCY FOR THE COUNTY OR CITY  
21 IN WHICH THE DEATH OCCURRED OR THE STATE POLICE.

22 (B) CONDUCT, AS PART OF THE INVESTIGATION REQUIRED UNDER  
23 SUBSECTION (1), AN INVESTIGATION OF THE RESIDENCE OF THE DECEASED  
24 IF THE DEATH OCCURRED IN A PLACE OTHER THAN THE RESIDENCE, THE  
25 HEALTH HISTORIES OF BOTH THE DECEASED AND THE MOTHER OF THE  
26 DECEASED, AND ANY OTHER PRENATAL HISTORY CONSIDERED RELEVANT BY  
27 THE COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER.

1       (4) THE COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL  
2 EXAMINER SHALL COMPILE A WRITTEN REPORT FOR EACH INVESTIGATION  
3 CONDUCTED UNDER SUBSECTIONS (1)(E) AND (3)(B). A COPY OF THE  
4 REPORT SHALL BE TRANSMITTED TO THE DEPARTMENT OF PUBLIC HEALTH.

5       (5) AN INVESTIGATION UNDER SUBSECTION (3)(B) SHALL BE CON-  
6 DUCTED ONLY BY A COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL  
7 EXAMINER WHO HAS SPECIALIZED TRAINING IN CONDUCTING SUCH  
8 INVESTIGATIONS. THE DEPARTMENT OF PUBLIC HEALTH SHALL PROMULGATE  
9 RULES TO ESTABLISH THE REQUIREMENTS FOR THE TRAINING. THE TRAIN-  
10 ING MAY BE CONDUCTED BY THE LOCAL HEALTH DEPARTMENT OR THE COUNTY  
11 MEDICAL EXAMINER'S OFFICE.