

HOUSE BILL No. 4640

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

A bill to amend section 5a 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 52.205a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5a of Act No. 181 of the Public Acts of
2 1953, being section 52.205a of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 5a. (1) When a ~~child~~ PERSON under the age of 2 years
5 dies within this state under circumstances ~~of sudden death,~~
6 ~~cause unknown~~ INDICATING THAT THE DEATH MAY HAVE BEEN CAUSED BY

1 SUDDEN INFANT DEATH SYNDROME, or IS found dead, cause unknown,
2 that death shall be immediately reported to the county medical
3 examiner of the county ~~wherein~~ IN WHICH the body lies. 7
4 ~~whereupon~~

5 (2) UPON RECEIPT OF A REPORT REQUIRED UNDER SUBSECTION (1),
6 the county medical examiner shall inform the ~~parents~~ PARENT or
7 legal ~~guardians~~ GUARDIAN of the ~~child~~ DECEASED that ~~they may~~
8 ~~request~~ an autopsy WILL BE performed, ~~on the child,~~ the costs
9 of which shall be borne by the state. ~~An autopsy requested by~~
10 ~~the parents or legal guardians shall be arranged for by the~~ THE
11 county medical examiner SHALL CONDUCT THE AUTOPSY OR ORDER THE
12 AUTOPSY TO BE CONDUCTED, and ~~the parents or legal guardians~~
13 ~~shall be promptly notified~~ SHALL PROMPTLY NOTIFY THE PARENT OR
14 LEGAL GUARDIAN of the results of ~~that~~ THE autopsy. THE COUNTY
15 MEDICAL EXAMINER ALSO SHALL REPORT THE RESULTS OF THE AUTOPSY TO
16 THE DEPARTMENT OF PUBLIC HEALTH.

17 (3) The costs of ~~the~~ AN autopsy performed under this sec-
18 tion shall be reported to the ~~state~~ director of public health,
19 who, UPON RECEIPT OF THE RESULTS OF THE AUTOPSY AND A COPY OF THE
20 REPORT OF THE INVESTIGATION CONDUCTED UNDER SECTION 2, shall pay
21 the account to the person entitled ~~thereto~~ out of funds appro-
22 priated for ~~this~~ THAT purpose by the legislature. The reason-
23 ableness and propriety of all claims and accounts under this sec-
24 tion shall be passed upon and determined by the state director of
25 public health. ~~Nothing in this section shall be construed as~~
26 ~~interfering with the duties and responsibilities of the county~~
27 ~~medical examiner as defined in other sections of this act.~~

1 (4) THE COUNTY MEDICAL EXAMINER SHALL NOT MAKE A
2 DETERMINATION THAT A DEATH DESCRIBED IN SUBSECTION (1) WAS CAUSED
3 BY SUDDEN INFANT DEATH SYNDROME UNLESS AN AUTOPSY IS PERFORMED.