- Act 181 of 1953 of Michigan Compiled Laws (MCL) allows for autopsies to be performed by county medical examiners or their designees.
    - Autopsies are vital to both public health and public safety in Michigan.
    - The retention of some amount of tissue, occasionally including whole organs, for diagnostic and documentary purposes is a fundamental component of autopsies.
    - Retained tissues are ultimately disposed of as medical waste.
    - MCL Act 181 of 1953 mentions specifically that the medical examiner may retain any portion of the body "for the detection of any crime".

- Increasingly, medical examiners and coroners around the nation are facing lawsuits with regard to the retention and disposition of tissues.

- A 2008 US District Court decision regarding a lawsuit against the Oakland County Medical Examiner's Office interpreted the language of MCL Act 181 of 1953 in a way that threatens the ability of medical examiners throughout Michigan to perform adequate forensic autopsies.
    - Said decision took the retention of tissue "for the detection of any crime" as the ONLY circumstance in which a medical examiner may retain tissue.
    - Said decision stated that the medical examiner's power to retain tissue ends when the cause of death is determined.
    - Said decision stated that medical examiners should be aware that retained tissue is the property of the next-of-kin.
    - Said decision stated that, as retained tissue is property, medical examiners knowingly violated the next-of-kin's 14th Amendment right to due process with regard to the final disposition of those tissues.

- This interpretation of Michigan law exposes every county in Michigan to civil litigation from untold numbers of parties related to autopsies performed over untold numbers of years, and adequate forensic autopsies could no longer be performed in Michigan.

- In August 2009, US Court of Appeals found that the Oakland County medical examiner was entitled to qualified immunity and referred to the Michigan Supreme Court the question of whether Michigan law gives next of kin a property interest in retained tissue.

- House Bill 4893 seeks to amend MCL Act 181 of 1953 as follows:
    - To state explicitly that the medical examiner or designee has the right, as part of an autopsy, to retain parts of the body for further examination to determine the conditions causing or contributing to death, the manner of death, or as evidence of a crime.
    - To state explicitly that such retained tissues are medical waste and may be disposed of accordingly.