

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

333.2843b Physician having actual knowledge of presence in deceased individual of infectious agent; notification of funeral director or authorized agent; refusal to render services prohibited; effective date of subsection (1); confidentiality; rules; violation as misdemeanor.

Sec. 2843b. (1) If, at the time of death, a physician who is required to complete the medical certification under section 2843(1)(a) has actual knowledge of the presence in the deceased individual of an infectious agent, including acquired immunodeficiency syndrome-related virus, the physician shall notify the funeral director or the funeral director's authorized agent of the appropriate infection control precautions to be taken. The notification required by this subsection shall occur before the body is released to the funeral director or the funeral director's authorized agent. A funeral director or funeral director's authorized agent who receives notification under this subsection shall not refuse to render services as a result of having received the notification. This subsection shall take effect on the effective date of the rules required by subsection (3).

(2) The information contained in the notification required by subsection (1) shall be confidential. A person who receives confidential information under this section shall disclose the information to others only to the extent consistent with the authorized purpose for which the information was obtained.

(3) Within 30 days after the effective date of this subsection, the department shall submit for promulgation under section 48 of the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being section 24.248 of the Michigan Compiled Laws, rules which define the term "infectious agent" for purposes of this section.

(4) The department may promulgate rules to administer this section.

(5) A person who violates subsection (2) is guilty of a misdemeanor.

History: Add. 1986, Act 185, Imd. Eff. July 8, 1986.

Compiler's note: Subsection (1) of this section took effect September 2, 1986, the date emergency rules required by subsection (3) were promulgated by the Department of Public Health.

Popular name: Act 368