



HOUSE BILL No. 5449

March 24 1994 Introduced by Reps Crissman Hammerstrom Voorhees Johnson
Bullard Berman Dolan Bodem Brackenridge Rhead Gernaat Galloway and Llewellyn 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 per-
sons under certain circumstances to abolish the office of coro-
ner and to create the office of county medical examiner in cer-
tain counties to prescribe the powers and duties of county medi-
cal examiners to prescribe penalties for violations of the pro-
visions 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~~ IF a ~~child~~ PERSON under the age of 2
5 years dies within this state under circumstances ~~of sudden~~

1 ~~death cause unknown~~ INDICATING THAT THE DEATH MAY HAVE BEEN
 2 CAUSED BY ACCIDENTAL ASPHYXIATION OR SUDDEN INFANT DEATH
 3 SYNDROME or IS found dead FROM UNKNOWN CAUSES ~~cause unknown,~~
 4 that death shall be immediately reported to the county medical
 5 examiner of the county ~~wherein~~ IN WHICH the body lies —
 6 ~~whereupon~~

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

21 (3) ~~The~~ A COUNTY MEDICAL EXAMINER SHALL REPORT THE costs
 22 of ~~the~~ AN autopsy performed under this section ~~shall be~~
 23 ~~reported~~ to the ~~state~~ director of public health ~~who~~ UPON
 24 RECEIPT OF THE REPORTS OF THE RESULTS AND THE COSTS OF THE AUTOP-
 25 SY THE DIRECTOR OF PUBLIC HEALTH shall pay the account to the
 26 person entitled ~~thereto~~ TO PAYMENT out of funds appropriated
 27 for ~~this~~ THAT purpose by the legislature The DIRECTOR OF

1 PUBLIC HEALTH SHALL DETERMINE THE reasonableness and propriety of
2 all claims and accounts under this section ~~shall be passed~~
3 ~~upon and determined by the state director of public health~~
4 ~~Nothing in this section shall be construed as interfering with~~
5 ~~the duties and responsibilities of the county medical examiner as~~
6 ~~defined in other sections of this act~~

7 (4) IF A COUNTY MEDICAL EXAMINER DETERMINES AS A RESULT OF
8 AN AUTOPSY CONDUCTED UNDER SUBSECTION (2) THAT THE CAUSE OF DEATH
9 WAS ACCIDENTAL ASPHYXIATION, THE COUNTY MEDICAL EXAMINER SHALL
10 INCLUDE SUDDEN INFANT DEATH SYNDROME IN THE AUTOPSY REPORT AS A
11 POSSIBLE ALTERNATIVE CAUSE OF DEATH