

HOUSE BILL No. 5225

November 4, 2003, Introduced by Reps. Condino, Bieda, Tobocman, Murphy, Spade, Clack, Paletko and Vagnozzi and referred to the Committee on Health Policy.

A bill to amend 1953 PA 181, entitled

"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,"

by amending section 5a (MCL 52.205a).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5a. (1) When a child under the age of 2 years dies
2 within this state under circumstances of sudden death, cause
3 unknown, or found dead, cause unknown, that death shall be
4 immediately reported to the county medical examiner **or deputy**
5 **county medical examiner** of the county ~~wherein~~ **where** the body
6 ~~lies, whereupon the~~ **is located.** **The** county medical examiner **or**
7 **deputy county medical examiner** shall inform the parents or legal

1 guardians of the child that they may request an autopsy **to be**
 2 performed on the child. ~~the costs of which shall be borne by~~
 3 ~~the~~ **The state shall cover the costs of an autopsy requested**
 4 **under this section.** ~~An autopsy requested by the parents or~~
 5 ~~legal guardians shall be arranged for by the~~ **The county medical**
 6 **examiner or the deputy county medical examiner shall arrange the**
 7 **autopsy requested under this section** and ~~the parents or legal~~
 8 ~~guardians shall be~~ **shall promptly notified notify the parents**
 9 **or legal guardians** of the results of that autopsy. **The county**
 10 **medical examiner or the deputy county medical examiner shall**
 11 **report the** costs of the autopsy performed under this section
 12 ~~shall be reported to the state director of public the~~
 13 **department of community health.** ~~who shall pay the account to~~ **If**
 14 **the director determines the claim to be reasonable and proper, he**
 15 **or she shall reimburse** the person ~~entitled thereto~~ **for the**
 16 **costs incurred under this section** out of funds appropriated for
 17 this purpose by the legislature. ~~The reasonableness and~~
 18 ~~propriety of all claims and accounts under this section shall be~~
 19 ~~passed upon and determined by the state director of public~~
 20 ~~health.~~ **Nothing in this section shall be construed as**
 21 ~~interfering~~ **to interfere** with the duties and responsibilities of
 22 the county medical examiner **or deputy county medical examiner** as
 23 ~~defined provided in other sections of~~ this act.

24 (2) **The department of community health shall promulgate rules**
 25 **and regulations under this act to promote consistency and**
 26 **accuracy among county medical examiners and deputy county medical**
 27 **examiners in determining the cause of death under this section.**