

ACCIDENTS INVOLVING "LOOK-A-LIKES"

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House Bill 6308 (Substitute H-1)

House Bill 6309 as introduced

Sponsor: Rep. Michael Sak

Committee: Health Policy

Complete to 9-18-06

A SUMMARY OF HOUSE BILLS 6308 (H-1) AND 6309 AS INTRODUCED

The bills would amend different acts to require, when two or more persons who bear a physical resemblance are injured or killed in an accident, certain notifications to be made to the medical examiner and require the medical examiner to verify the identity of the deceased through fingerprints, dental records, or DNA. The bills are tie-barred to each other.

House Bill 6308 would amend Public Act 181 of 1953 (MCL 52.203 et al.), which pertains to county medical examiners. Currently, physicians, hospitals, or any person who has first knowledge of the death of a person who died suddenly, unexpectedly, violently, or accidentally must notify the county medical examiner or his or her deputy immediately.

The provisions of the bill would be triggered if two or more individuals involved in an accident were approximately the same age, sex, height, weight, and race. The person notifying the medical examiner that a death had occurred as a result of the accident would also have to inform the M.E. that a person or persons resembling the deceased was also in the accident. If the other person or persons had survived the accident, the M.E. would have to be notified which hospital or institution the survivors were taken to. The hospital or institution that the survivors were taken to would also have to be informed that the accident involved two or more individuals with similar attributes.

If visual identification of the deceased was impossible due to burns, decompositions, or other disfiguring injuries or if the M.E. was aware that the death was the result of an accident involving two or more physically similar individuals, then the M.E. would have to verify the identity of the deceased through fingerprints, dental records, DNA, or other definitive identification procedures and, if the accident resulted in the survival of any individuals with the same attributes, would have to notify the respective hospital or institution of his or her findings.

In addition, a funeral home director, embalmer, or other person currently cannot remove a body from the place where the death as described above occurred, or prepare the body for burial or shipment, without first notifying the M.E. and receiving permission to remove, prepare for burial, or ship the body. A violation is a misdemeanor punishable by imprisonment of not more than one year and/or a fine of not more than \$500. The bill

would apply the same prohibitions and penalties when it was known that the accident that resulted in the death involved two or more individuals who were approximately the same age, sex, height, weight, and race.

House Bill 6309 would amend the Public Health Code (MCL 333.2844a). Currently, in deaths investigated by the county medical examiner or his or her deputy, if the M.E. is not able to identify a dead body by visual means, fingerprints, or identifying data, he or she can have a qualified dentist carry out a dental examination. The bill would instead specify that the examination carried out by the dentist would be allowed if the M.E. could not establish and verify under Section 5 of the medical examiner act (MCL 52.205, which would be amended by House Bill 6308) the identity of the dead body by visual means, fingerprints, DNA, or other definitive identification procedures. (Underlining denotes proposed changes.)

FISCAL IMPACT:

The bills may have fiscal implications for local governments on occasions when the bills require additional notifications or tests to assure proper identification. The bills should have no fiscal impact on state government.

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