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Senate Bill 485 (Substitute S-2 as reported)  
Sponsor: Senator Bruce Caswell  
Committee: Health Policy

### **CONTENT**

The bill would repeal sections of the Public Health Code containing procedures for the final disposition of unclaimed bodies and allocation of human bodies for scientific or educational use, and would add Part 29 (Scientific Use of Dead Human Bodies) to the Code to establish new procedures.

Proposed Part 29 would do the following:

- Create the Anatomy Board, consisting of members representing designated medical schools, within the Department of Community Health (DCH).
- Prescribe the Board's duties, including the development of criteria, standards, and procedures for consideration of unclaimed bodies that were suitable for scientific use.
- Require a Board member to receive unclaimed bodies that were suitable for scientific use, allow a member to receive dead human bodies as otherwise provided by law, and authorize a member to allocate bodies it received to teaching institutions, hospitals, and other people that required them for educational use.
- Require a person in charge or control of a decedent's body to attempt to identify and notify a person with authority to make decisions about a decedent's body under the Estates and Protected Individuals Code (EPIC), and contact the county medical examiner if the attempt were unsuccessful.
- Require the medical examiner to act as the person of authority over an unclaimed body.
- Allow a person with authority to authorize the availability of a decedent's body to the Board as an unclaimed body for scientific use, and require that person to contact the Board within 72 hours of death for a determination of whether the body was suitable for such use.
- Allow a person with authority later to claim a body determined suitable for use before final disposition through a mortuary science licensee.
- Require the handling, embalming, transportation, and final disposition of an unclaimed body to be under the supervision of a mortuary science licensee.
- Allow a teaching institution, hospital, or other person to submit a request to the Board to receive unclaimed bodies for educational use.
- Require the Board to evaluate requests, and provide that the needs of undergraduate medical and dental schools in Michigan would have priority over other requests.
- Authorize the DCH to promulgate rules to implement proposed Part 29.
- Provide that a person who disposed of, used, or sold a dead human body or body part or who violated Part 29 would be guilty of a misdemeanor.

The sections that would be repealed do the following:

- Require the DCH to receive dead human bodies or body parts designated for scientific use and allocate them to hospitals and educational institutions.

- Authorize the DCH to designate specific universities to perform its duties and responsibilities related to unclaimed bodies and the allocation of bodies for scientific use.
- Require a public official in charge or control of an unclaimed body to attempt to notify a person with authority over the body under EPIC; and provide that the body becomes available to the DCH if no such person can be identified.
- Require the officer in charge or control of an unclaimed body to notify the DCH immediately following 72 hours after death, upon the Department's request.
- Require a person to whom an unclaimed body is assigned to hold the body for 30 days, during which it is subject to identification and claim by a person with authority under EPIC.
- Prohibit a person from holding a postmortem examination of an unclaimed body without the express permission of the DCH Director, unless specifically authorized by law; and provide that a person responsible for noncompliance with the prohibition is responsible for the interment expense of an unclaimed body that becomes unfit for scientific or educational purposes as a result.
- Provide that a person who unlawfully disposes, uses, or sells an unclaimed body or who violates applicable provisions is guilty of a misdemeanor.

MCL 333.10204 et al.

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

Under current policy, an unclaimed body is handled by a funeral home, with the costs being covered by the Department of Human Services (DHS) at reimbursement rates usually set in budgetary boilerplate. The bill would direct that members of the proposed Anatomy Board supervise the final disposition of unclaimed bodies. Any entity receiving unclaimed bodies for scientific use would bear all costs related to the preservation, transportation, and final disposition of the body. This would divert costs from the DHS to other entities, including university medical schools.

The proposed Anatomy Board would lead to minor administrative costs for the Department of Community Health.

Date Completed: 9-26-14

Fiscal Analyst: Steve Angelotti

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.