



**House
Legislative
Analysis
Section**

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LOCATION OF AUTOPSIES

House Bill 4098
Sponsor: Kirk Profit
Committee: Judiciary and Civil Rights

Complete to 6-15-95

A SUMMARY OF HOUSE BILL 4098 AS INTRODUCED 1-17-95

Under current law a county medical examiner is required to investigate and determine the cause of death in all cases where people have died suddenly, unexpectedly, accidentally, violently, or under suspicious circumstances, or during the performance of an abortion whether self-induced or otherwise, or without medical attention during the last 48 hours before death where the attending physician is unable to determine the cause of death, or where the individual died while imprisoned in a city or county jail. Physicians or any others with firsthand knowledge of deaths which occur under such circumstances are required to immediately notify the county medical examiner or deputy of the death and circumstances surrounding it. The county medical examiner must then take charge of the body and perform what investigations he or she deems necessary under the circumstances and may have the body removed to a public morgue or to a designated private one if no public morgue is available. Current law makes the county medical examiner from the county where the individual died or where the individual's body was found responsible for investigating the cause of death. This is the case even where the events leading to or causing the individual's death occurred in a different county than the one in which he or she eventually died or was discovered.

The bill would allow for the transfer of a corpse and the responsibility for investigating its cause of death from the medical examiner for the county where the person died or the body was discovered (the county where the body was found) to the medical examiner for the county where the events which lead to the individual's death occurred (the county of origin) by the agreement of both medical examiners. The medical examiners of each county would be allowed to agree to make the medical examiner for the county where the suspicious or violent circumstances leading to the death occurred (the county of origin) responsible for investigating the cause of the death rather than leaving the responsibility to the medical examiner from county where the body was found. The medical examiners could only agree to such a transfer of authority in cases where a medical examiner had been notified that an individual's death resulted from suspicious or violent events which occurred in another county, and that the injured, dying person or his or her body had been brought into the county where he or she died or was found under a supervised medical transfer.

Under such an agreement, the medical examiner from the county holding the body would be required to arrange and supervise transfer of the body to a public or private morgue in the county of origin at the county of origin's expense. The medical examiner for the county where the body was found would be required to see to it that the medical examiner from the county of origin received copies of any medical records generated after the events occurred leading to the individual's death.

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If no agreement was reached between the medical examiners of the two counties, the medical examiner from the county where the body was found would examine that body as required by current law. In such a case, if the death occurred during supervised medical transfer, in a hospital emergency room, or within 24 hours of admission to a hospital (except where the patient underwent a major operative procedure under general anesthesia after supervised medical transfer), the county of origin would be required to reimburse the other county for the examination costs. The county medical examiner for the county where the body was found would not be allowed to charge more for reimbursement than is normally spent by that county for similar procedures.

MCL 52.205