

# HOUSE BILL No. 4166

February 8, 2001, Introduced by Reps. Van Woerkom and Meyer and referred to the Committee on Civil Law and the Judiciary.

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 2 (MCL 52.202).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 2. (1) ~~County~~ A COUNTY medical ~~examiners~~ EXAMINER  
2 or deputy county medical ~~examiners~~ EXAMINER shall ~~make inves-~~  
3 ~~tigations as to~~ INVESTIGATE the cause and manner of death ~~in~~  
4 ~~all cases~~ UNDER EACH OF THE FOLLOWING CIRCUMSTANCES:

5           (A) THE CASE of ~~persons who have come to their death~~ AN  
6 INDIVIDUAL WHO HAS DIED by violence. ~~or~~

1 (B) THE CASE OF AN INDIVIDUAL whose death was unexpected. ~~→~~  
2 or

3 (C) THE CASE OF AN INDIVIDUAL WHO DIED without medical  
4 attendance during the 48 hours ~~prior to~~ IMMEDIATELY PRECEDING  
5 the ~~hour~~ TIME of death, unless the attending physician, if any,  
6 is able to determine accurately the cause of death. ~~→ or~~

7 (D) THE CASE OF AN INDIVIDUAL WHO HAS DIED as the result of  
8 an abortion, whether self-induced or otherwise.

9 (2) If ~~any~~ A prisoner in ~~any~~ A county or city jail dies  
10 while so imprisoned, the county medical examiner OR DEPUTY COUNTY  
11 MEDICAL EXAMINER, upon being notified of the death of the prison-  
12 er, shall ~~make an examination upon~~ EXAMINE the body of the  
13 deceased prisoner.

14 (3) A COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL  
15 EXAMINER, WHILE CONDUCTING AN INVESTIGATION UNDER SUBSECTION (1)  
16 OR (2), MAY ISSUE A SUBPOENA TO PRODUCE MEDICAL RECORDS, BOOKS,  
17 PAPERS, DOCUMENTS, OR OTHER ITEMS RELATED TO THE DEATH BEING  
18 INVESTIGATED.

19 (4) IF A SUBPOENA ISSUED UNDER SUBSECTION (3) IS NOT OBEYED,  
20 THE COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER MAY  
21 PETITION THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE DEATH  
22 OCCURRED TO REQUIRE THE PRODUCTION OF MEDICAL RECORDS, BOOKS,  
23 PAPERS, DOCUMENTS, OR OTHER ITEMS DESCRIBED IN THE SUBPOENA. THE  
24 CIRCUIT COURT MAY ISSUE AN ORDER REQUIRING A PERSON TO PRODUCE  
25 THE MEDICAL RECORDS, BOOKS, PAPERS, DOCUMENTS, OR OTHER ITEMS.  
26 FAILURE TO OBEY THE ORDER OF THE CIRCUIT COURT MAY BE PUNISHED BY  
27 THE COURT AS A CONTEMPT OF COURT.