

Senate Fiscal Agency  
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**SFA**

BILL ANALYSIS

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House Bill 4166 (Substitute H-1 as passed by the House)  
Sponsor: Representative Gerald Van Woerkom  
House Committee: Civil Law and the Judiciary  
Senate Committee: Judiciary

Date Completed: 5-29-01

### **CONTENT**

The bill would amend Public Act 181 of 1953, which requires county medical examiners or their deputies to investigate the cause and manner of death under certain circumstances, to allow a medical examiner or deputy medical examiner to request that the circuit court issue a subpoena to produce medical records, books, papers, documents, or other items related to the death being investigated. The court could punish as contempt of court failure to obey a subpoena issued under the bill.

The bill specifies that medical records, books, papers, documents, or other items obtained by a medical examiner or deputy medical examiner in conducting an investigation under the Act, whether in response to a subpoena or otherwise, would be exempt from disclosure under the Freedom of Information Act.

The Act requires a county medical examiner or deputy county medical examiner to investigate the cause and manner of death in the case of an individual who has died by violence; whose death was unexpected; who died without medical attendance during the 48 hours preceding death, unless the attending physician, if any, is able to determine accurately the cause of death; or who died as the result of an abortion, whether self-induced or otherwise. In addition, if a prisoner in a county or city jail dies while imprisoned, the county medical examiner must examine the deceased prisoner's body. The bill would require either the medical examiner or a deputy medical examiner to examine the body of a deceased prisoner.

MCL 52.202

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate impact on local county medical examiners depending on the number of subpoenas requested. The bill could result in savings due to quicker investigations.

The bill also would result in minimal administrative savings for local prosecuting attorney offices.

Fiscal Analyst: B. Bowerman

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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.