

**HB 4166, As Passed Senate, June 7, 2001**

**REPRINT**

**SUBSTITUTE FOR**

**HOUSE BILL NO. 4166**

(As passed the House, May 2, 2001)

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~~

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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) IN CONDUCTING AN INVESTIGATION UNDER SUBSECTION (1) OR  
15 (2), A COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER  
16 MAY REQUEST THE CIRCUIT COURT TO ISSUE A SUBPOENA TO PRODUCE MED-  
17 ICAL RECORDS, BOOKS, PAPERS, DOCUMENTS, OR OTHER ITEMS RELATED TO  
18 THE DEATH BEING INVESTIGATED. THE CIRCUIT COURT MAY PUNISH FAILURE  
19 TO OBEY A SUBPOENA ISSUED UNDER THIS SECTION AS CONTEMPT OF COURT.

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1           (4) MEDICAL RECORDS, BOOKS, PAPERS, DOCUMENTS, OR OTHER  
2 ITEMS THAT A COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL  
3 EXAMINER OBTAINS IN CONDUCTING AN INVESTIGATION UNDER THIS ACT,  
4 WHETHER IN RESPONSE TO A SUBPOENA OR OTHERWISE, ARE EXEMPT FROM  
5 DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL  
6 15.231 TO 15.246.