

Act No. 26
Public Acts of 2001
Approved by the Governor
June 21, 2001
Filed with the Secretary of State
June 22, 2001
EFFECTIVE DATE: June 22, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Reps. Van Woerkom and Meyer

ENROLLED HOUSE BILL No. 4166

AN ACT 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:

Sec. 2. (1) A county medical examiner or deputy county medical examiner shall investigate the cause and manner of death under each of the following circumstances:

- (a) The case of an individual who has died by violence.
 - (b) The case of an individual whose death was unexpected.
 - (c) The case of an individual who died without medical attendance during the 48 hours immediately preceding the time of death, unless the attending physician, if any, is able to determine accurately the cause of death.
 - (d) The case of an individual who has died as the result of an abortion, whether self-induced or otherwise.
- (2) If a prisoner in a county or city jail dies while so imprisoned, the county medical examiner or deputy county medical examiner, upon being notified of the death of the prisoner, shall examine the body of the deceased prisoner.
- (3) In conducting an investigation under subsection (1) or (2), a county medical examiner or deputy county medical examiner may request the circuit court to issue a subpoena to produce medical records, books, papers, documents, or other items related to the death being investigated. The circuit court may punish failure to obey a subpoena issued under this section as contempt of court.

(4) Medical records, books, papers, documents, or other items that a county medical examiner or deputy county medical examiner obtains in conducting an investigation under this act, whether in response to a subpoena or otherwise, are exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved

Governor.