

# HOUSE BILL NO. 5518

February 20, 2020, Introduced by Rep. Reilly and referred to the Committee on Health Policy.

A bill to amend 1992 PA 90, entitled  
"Determination of death act,"  
by amending section 3 (MCL 333.1033).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 3. (1) An individual who has sustained either of the  
2 following is dead:

3           (a) Irreversible cessation of circulatory and respiratory  
4 functions.

5           (b) Irreversible cessation of all functions of the entire



1 brain, including the brain stem.

2 (2) A determination of death ~~shall~~**must** be made in accordance  
3 with accepted medical standards.

4 (3) A physician or registered nurse may pronounce the death of  
5 ~~a person~~**an individual** in accordance with this act. This subsection  
6 does not prohibit a health facility or agency licensed under  
7 article 17 of the public health code, ~~Act No. 368 of the Public~~  
8 ~~Acts of 1978, being sections 333.20101 to 333.22260 of the Michigan~~  
9 ~~Compiled Laws, 1978 PA 368, MCL 333.20101 to 333.21925,~~ from  
10 determining which of its medical personnel may pronounce the death  
11 of ~~a person~~**an individual** in that health facility or agency.

12 Enacting section 1. This amendatory act takes effect 90 days  
13 after the date it is enacted into law.

14 Enacting section 2. This amendatory act does not take effect  
15 unless Senate Bill No.\_\_\_\_ or House Bill No. 5510 (request no.  
16 04667'19) of the 100th Legislature is enacted into law.

