

HOUSE BILL No. 4760

May 27, 2003, Introduced by Reps. Hardman, Tobocman, Plakas, Law and Williams and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2848 (MCL 333.2848), as amended by 2002 PA
562.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2848. (1) Except as provided in sections 2844 and
2 2845, a funeral director or person acting as a funeral director,
3 who first assumes custody of a dead body, not later than 72 hours
4 after death or the finding of a dead body and before final
5 disposition of the body, shall obtain authorization for the final
6 disposition. The authorization for final disposition of a dead
7 body shall be issued on a form prescribed by the state registrar
8 and signed by the local registrar or the state registrar.

9 (2) Before final disposition of a dead fetus, irrespective of
10 the duration of pregnancy, the funeral director or person

1 assuming responsibility for the final disposition of the fetus
2 shall obtain from the parents, or parent in case of an unmarried
3 mother, an authorization for final disposition on a form
4 prescribed and furnished or approved by the state registrar. The
5 authorization may allow final disposition to be by a funeral
6 director, the individual in charge of the institution where the
7 fetus was delivered, or an institution or agency authorized to
8 accept donated bodies or fetuses under this code. After final
9 disposition, the funeral director, the individual in charge of
10 the institution, or other person making the final disposition
11 shall retain the permit for not less than 7 years.

12 (3) If final disposition is by cremation, the medical
13 examiner of the county in which death occurred shall sign the
14 authorization for final disposition. **Before final disposition of**
15 **a minor by cremation, the funeral director or person acting as a**
16 **funeral director shall obtain the authorization of the county**
17 **medical examiner and an authorization for final disposition by**
18 **cremation from the parents or legal guardian of the minor on a**
19 **form prescribed and furnished or approved by the state registrar.**

20 (4) A body may be moved from the place of death to be
21 prepared for final disposition with the consent of the physician
22 or county medical examiner who certifies the cause of death.

23 (5) A permit for disposition issued under the law of another
24 state that accompanies a dead body or dead fetus brought into
25 this state is authorization for final disposition of the dead
26 body or dead fetus in this state.