

HOUSE BILL No. 6654

November 13, 2008, Introduced by Rep. Meisner and referred to the Committee on Judiciary.

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 sections 2, 3, and 5 (MCL 52.202, 52.203, and 52.205), section 2 as amended by 2004 PA 153 and sections 3 and 5 as amended by 2006 PA 569, and by adding sections 2a and 5b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

- 4 (a) The individual dies by violence.
5 (b) The individual's death is unexpected.

1 (c) The individual dies without medical attendance by a
2 physician, or the individual dies while under home hospice care
3 without medical attendance by a physician or a registered nurse,
4 during the 48 hours immediately preceding the time of death, unless
5 the attending physician, if any, is able to determine accurately
6 the cause of death.

7 (d) The individual dies as the result of an abortion, whether
8 self-induced or otherwise.

9 **(E) THE INDIVIDUAL DIES AS THE RESULT OF 1 OR MORE INJURIES**
10 **SUSPECTED TO HAVE BEEN CAUSED BY A FIRE.**

11 (2) If a prisoner in a county or city jail dies while
12 imprisoned, the county medical examiner or deputy county medical
13 examiner, upon being notified of the death of the prisoner, shall
14 examine the body of the deceased prisoner.

15 (3) In conducting an investigation under subsection (1) or
16 (2), a county medical examiner or deputy county medical examiner
17 may request the circuit court to issue a subpoena to produce
18 medical records, books, papers, documents, or other items related
19 to the death being investigated. The circuit court may punish
20 failure to obey a subpoena issued under this section as contempt of
21 court.

22 (4) Medical records, books, papers, documents, or other items
23 that a county medical examiner or deputy county medical examiner
24 obtains in conducting an investigation under this act, whether in
25 response to a subpoena or otherwise, are exempt from disclosure
26 under the freedom of information act, 1976 PA 442, MCL 15.231 to
27 15.246.

1 ~~—— (5) As used in this section:~~

2 ~~—— (a) "Home hospice care" means a program of planned and~~
 3 ~~continuous hospice care provided by a hospice or a hospice~~
 4 ~~residence that consists of a coordinated set of services rendered~~
 5 ~~to an individual at his or her home on a continuous basis for a~~
 6 ~~disease or condition with a terminal prognosis.~~

7 ~~—— (b) "Physician" means a person licensed as a physician under~~
 8 ~~part 170 or part 175 of the public health code, 1978 PA 368, MCL~~
 9 ~~333.17001 to 333.17084 and 333.17501 to 333.17556.~~

10 ~~—— (c) "Registered nurse" means a person licensed as a registered~~
 11 ~~professional nurse under part 172 of the public health code, 1978~~
 12 ~~PA 368, MCL 333.17201 to 333.17242.~~

13 **SEC. 2A. AS USED IN THIS ACT:**

14 **(A) "CLOSE PERSONAL FRIEND" MEANS AN INDIVIDUAL WHO, BEFORE**
 15 **THE DECEDENT'S DEATH, MAINTAINED CLOSE CONTACT WITH THE DECEDENT**
 16 **SUFFICIENT TO RENDER THE INDIVIDUAL KNOWLEDGEABLE ABOUT THE**
 17 **DECEDENT'S ACTIVITIES, HEALTH, AND RELIGIOUS BELIEFS.**

18 **(B) "HOME HOSPICE CARE" MEANS A PROGRAM OF PLANNED AND**
 19 **CONTINUOUS HOSPICE CARE PROVIDED BY A HOSPICE OR A HOSPICE**
 20 **RESIDENCE THAT CONSISTS OF A COORDINATED SET OF SERVICES RENDERED**
 21 **TO AN INDIVIDUAL AT HIS OR HER HOME ON A CONTINUOUS BASIS FOR A**
 22 **DISEASE OR CONDITION WITH A TERMINAL PROGNOSIS.**

23 **(C) "NEXT OF KIN" MEANS THE SPOUSE OF A DECEDENT OR AN**
 24 **INDIVIDUAL RELATED TO THE DECEDENT WITHIN THE THIRD DEGREE OF**
 25 **CONSANGUINITY AS DETERMINED BY THE CIVIL LAW METHOD.**

26 **(D) "PHYSICIAN" MEANS A PERSON LICENSED AS A PHYSICIAN UNDER**
 27 **PART 170 OR PART 175 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL**

1 333.17001 TO 333.17084 AND 333.17501 TO 333.17556.

2 (E) "REGISTERED NURSE" MEANS A PERSON LICENSED AS A REGISTERED
3 PROFESSIONAL NURSE UNDER PART 172 OF THE PUBLIC HEALTH CODE, 1978
4 PA 368, MCL 333.17201 TO 333.17242.

5 Sec. 3. (1) ~~Any physician and any person~~ **A PHYSICIAN, AN**
6 **INDIVIDUAL** in charge of ~~any~~ **A** hospital or ~~institution~~ **OTHER HEALTH**
7 **FACILITY**, or ~~any person~~ **ANOTHER INDIVIDUAL** who ~~shall have~~ **HAS** first
8 knowledge of ~~the death of any person~~ **ANY OF THE FOLLOWING SHALL**
9 **IMMEDIATELY NOTIFY THE COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY**
10 **MEDICAL EXAMINER OF THAT FACT:**

11 (A) **AN INDIVIDUAL** who ~~shall have~~ died suddenly, unexpectedly,
12 accidentally, violently, or as the result of ~~any~~ suspicious
13 circumstances. ~~or~~

14 (B) **AN INDIVIDUAL WHO DIED AS A RESULT OF 1 OR MORE INJURIES**
15 **SUSPECTED TO HAVE BEEN CAUSED BY A FIRE.**

16 (C) **AN INDIVIDUAL WHO DIED** without medical attendance during
17 the 48 hours ~~prior to~~ **IMMEDIATELY PRECEDING** the hour of death,
18 unless the attending physician, if any, is able to determine
19 accurately the cause of death. ~~or in any case of death due to~~

20 (D) **AN INDIVIDUAL WHO DIED AS A RESULT OF** what is commonly
21 known as an abortion, whether self-induced or otherwise. ~~shall~~
22 ~~notify the county medical examiner or his or her deputy immediately~~
23 ~~of the death.~~

24 (2) If the physician, ~~person~~ **INDIVIDUAL** in charge of ~~any~~ **A**
25 hospital or ~~institution~~ **OTHER HEALTH FACILITY**, or other ~~person~~
26 **INDIVIDUAL** who has first knowledge of the death of ~~a person~~ **AN**
27 **INDIVIDUAL** as described under subsection (1) has knowledge that

1 there were 2 or more individuals involved in the same accident who
2 were approximately the same age, sex, height, weight, hair color,
3 eye color, and race, then he or she shall make the county medical
4 examiner or his or her deputy aware of that fact and whether or not
5 any of those individuals survived that accident when notifying the
6 examiner or deputy of the death as required under subsection (1).
7 If any of those individuals survived, the county medical examiner
8 or his or her deputy shall also be informed which hospital or
9 institution those individuals were taken to and the hospital or
10 institution shall also be made aware that the accident involved 2
11 or more individuals with similar attributes.

12 Sec. 5. (1) ~~When~~ **IF** a county medical examiner **OR DEPUTY COUNTY**
13 **MEDICAL EXAMINER** has notice that ~~there has been found within his or~~
14 ~~her county or district~~ the body of a ~~person~~ **AN INDIVIDUAL** who ~~is~~
15 ~~supposed to have come to his or her death~~ **MAY HAVE DIED** in a manner
16 ~~as indicated~~ **DESCRIBED** in section 3 **HAS BEEN FOUND WITHIN THE**
17 **COUNTY MEDICAL EXAMINER'S GEOGRAPHICAL JURISDICTION**, the **COUNTY**
18 medical examiner shall take charge of the body. ~~, and if, on view~~
19 ~~of~~ **IF AFTER EXAMINING** the body and ~~personal inquiry into~~
20 **INVESTIGATING** the cause and manner of the death ~~, the~~ **COUNTY**
21 medical examiner **OR DEPUTY COUNTY MEDICAL EXAMINER** considers a
22 further examination necessary, ~~the county medical examiner or a~~
23 ~~deputy~~ **HE OR SHE** may cause the ~~dead~~ body to be removed to the
24 public morgue. If the investigation is **SOLELY** for the reason ~~only~~
25 that the ~~dead person~~ **DECEDENT** had no medical attendance during **THE**
26 48 hours ~~before~~ **IMMEDIATELY PRECEDING** the hour of death, and if the
27 ~~dead person~~ **DECEDENT** had chosen not to have medical attendance

1 because of his or her bona fide held religious convictions, removal
 2 ~~shall~~**IS** not be required unless there is evidence of other
 3 conditions ~~stipulated~~**DESCRIBED** in section 3. If there is no public
 4 morgue, ~~then~~ the body may be removed to a private morgue as
 5 **DESIGNATED BY** the county medical examiner ~~has designated~~**OR DEPUTY**
 6 **COUNTY MEDICAL EXAMINER.**

7 (2) The **COUNTY** medical examiner **OR DEPUTY COUNTY MEDICAL**
 8 **EXAMINER** may designate a ~~person~~**MEDICAL EXAMINER INVESTIGATOR**
 9 appointed ~~pursuant to~~**UNDER** section 1a(2) to take charge of the
 10 body, make pertinent inquiry, note the circumstances surrounding
 11 the death, and, if considered necessary, cause the body to be
 12 transported to the morgue for examination by the **COUNTY** medical
 13 examiner **OR DEPUTY COUNTY MEDICAL EXAMINER.** The **COUNTY** medical
 14 examiner **OR DEPUTY COUNTY MEDICAL EXAMINER** shall maintain a list of
 15 ~~persons~~**MEDICAL EXAMINER INVESTIGATORS** appointed ~~pursuant to~~**UNDER**
 16 section 1a(2) and their qualifications ~~which~~**AND** shall be filed
 17 **FILE THE LIST** with the local law enforcement agencies. ~~The person~~**A**
 18 **MEDICAL EXAMINER INVESTIGATOR** appointed ~~pursuant to~~**UNDER** section
 19 1a(2) shall not be an agent or employee of ~~any~~**A** person or funeral
 20 establishment licensed under article 18 of the occupational code,
 21 1980 PA 299, MCL 339.1801 to 339.1812, receive, directly or
 22 indirectly, ~~any~~ remuneration in connection with the disposition of
 23 the body, or make ~~any~~ funeral or burial arrangements without
 24 approval of the next of kin, if ~~they are found~~**KNOWN**, or the ~~person~~
 25 **INDIVIDUAL** responsible for the funeral expenses.

26 (3) ~~The~~**EXCEPT AS OTHERWISE PROVIDED IN SECTION 5B, THE** county
 27 medical examiner may perform or direct to be performed an autopsy

1 and shall carefully reduce or cause to be reduced to writing every
2 **EACH** fact and circumstance tending to show the condition of the
3 body and the cause and manner of death, ~~together with~~ **AND SHALL**
4 **INCLUDE IN THAT WRITING** the ~~names~~ **NAME** and ~~addresses~~ **ADDRESS** of any
5 ~~persons~~ **EACH INDIVIDUAL** present at the autopsy. ~~which record he~~
6 ~~or she shall subscribe.~~ **THE INDIVIDUAL PERFORMING THE AUTOPSY SHALL**
7 **SUBSCRIBE THE WRITING DESCRIBED IN THIS SUBSECTION.**

8 (4) **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION OR SECTION**
9 **5B, UPON RECEIPT OF A WRITTEN REQUEST FROM A LAW ENFORCEMENT AGENCY**
10 **OR PROSECUTING ATTORNEY INVESTIGATING THE DEATH OF AN INDIVIDUAL**
11 **WHO DIED AS A RESULT OF 1 OR MORE INJURIES SUSPECTED TO HAVE BEEN**
12 **CAUSED BY A FIRE, THE COUNTY MEDICAL EXAMINER OR HIS OR HER**
13 **DESIGNEE SHALL PERFORM AN AUTOPSY UPON THE DECEDENT. IF THE COUNTY**
14 **MEDICAL EXAMINER DOES NOT PERFORM OR ORDER THE PERFORMANCE OF AN**
15 **AUTOPSY PURSUANT TO A REQUEST RECEIVED UNDER THIS SUBSECTION, THE**
16 **COUNTY MEDICAL EXAMINER SHALL EXPLAIN TO THE REQUESTER IN WRITING**
17 **WITHIN 48 HOURS OF RECEIVING THE WRITTEN REQUEST FOR THE AUTOPSY**
18 **THAT THE DEATH WAS DIRECTLY CAUSED BY FIRE AND THAT AN AUTOPSY WAS**
19 **NOT REQUIRED TO DETERMINE OTHER POSSIBLE CAUSES OF DEATH. IF THE**
20 **LAW ENFORCEMENT AGENCY OR PROSECUTING ATTORNEY BELIEVES THAT AN**
21 **AUTOPSY WOULD CONTRIBUTE MATERIALLY TO THE INVESTIGATION, THE LAW**
22 **ENFORCEMENT AGENCY OR PROSECUTING ATTORNEY MAY FILE A PETITION WITH**
23 **A COURT OF COMPETENT JURISDICTION FOR A REVIEW OF THE COUNTY**
24 **MEDICAL EXAMINER'S DECISION NOT TO PERFORM AN AUTOPSY. A LAW**
25 **ENFORCEMENT AGENCY OR PROSECUTING ATTORNEY SHALL FILE A PETITION**
26 **UNDER THIS SUBSECTION WITHIN 24 HOURS AFTER RECEIVING ORAL OR**
27 **WRITTEN NOTICE OF THE COUNTY MEDICAL EXAMINER'S DECISION NOT TO**

1 PERFORM THE AUTOPSY OR WITHIN 24 HOURS AFTER THE COUNTY MEDICAL
2 EXAMINER FAILS TO RESPOND WITHIN THE 48-HOUR TIME LIMIT. THE COURT
3 IN WHICH THE PETITION IS FILED SHALL HOLD A HEARING ON THE PETITION
4 WITHIN 48 HOURS AFTER THE PETITION IS FILED. IF THE COURT
5 DETERMINES THAT AN AUTOPSY WOULD CONTRIBUTE MATERIALLY TO THE
6 INVESTIGATION, THE COURT SHALL ORDER THE COUNTY MEDICAL EXAMINER TO
7 PERFORM THE AUTOPSY IMMEDIATELY AND TO TRANSMIT THE RESULTS OF THE
8 AUTOPSY TO THE PETITIONER WITHIN 24 HOURS AFTER THE AUTOPSY IS
9 PERFORMED AND ALL NECESSARY TESTS ARE COMPLETED.

10 (5) ~~(4) The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION
11 AND SUBJECT TO SUBSECTION (6), THE COUNTY medical examiner OR
12 DEPUTY COUNTY MEDICAL EXAMINER shall ascertain the identity of the
13 ~~deceased~~ DECEDENT and ~~notify~~ immediately AND as compassionately as
14 possible NOTIFY the next of kin of the DECEDENT'S death and the
15 location of the body. ~~except that such~~ THE notification DESCRIBED
16 IN THIS SUBSECTION is not required if a person from the state
17 police, a county sheriff department, a township police department,
18 or a municipal police department states to the COUNTY medical
19 examiner OR DEPUTY COUNTY MEDICAL EXAMINER that the notification
20 has already occurred.

21 (6) If visual identification of ~~an individual~~ A DECEDENT is
22 impossible as a result of burns, decomposition, or other
23 disfiguring injuries or if the county medical examiner is aware
24 that the death is the result of an accident that involved 2 or more
25 individuals who were approximately the same age, sex, height,
26 weight, hair color, eye color, and race, then the county medical
27 examiner shall verify the identity of the ~~deceased~~ DECEDENT through

1 fingerprints, dental records, DNA, or other definitive
 2 identification procedures and, if the accident resulted in the
 3 survival of any individuals with the same attributes, shall notify
 4 the respective hospital or institution of his or her findings. The
 5 county medical examiner may conduct an autopsy **UNDER SUBSECTION (3)**
 6 if he or she determines that an autopsy reasonably appears to be
 7 required pursuant to law. ~~After~~ **EXCEPT AS OTHERWISE PROVIDED IN**
 8 **SECTION 5B, AFTER** the county medical examiner, a deputy, a person
 9 from the state police, a county sheriff department, a township
 10 police department, or a municipal police department has made
 11 diligent effort to locate and notify the next of kin, ~~he or she~~ **THE**
 12 **COUNTY MEDICAL EXAMINER** may order and conduct the autopsy with or
 13 without the consent of the next of kin of the ~~deceased~~ **DECEDENT**.

14 (7) ~~(5)~~ The county medical examiner or a ~~his or her~~ **HIS OR HER** deputy
 15 shall keep a written record of the efforts to locate and notify the
 16 next of kin for a period of 1 year from the date of the autopsy.
 17 ~~The county medical examiner shall, after any~~ **AFTER A** required
 18 examination or autopsy, **THE COUNTY MEDICAL EXAMINER SHALL** promptly
 19 deliver or return the body **OR ANY PORTION OF THE BODY** to relatives
 20 or representatives of the ~~deceased or, if~~ **DECEDENT. IF** there are no
 21 relatives or representatives **OF THE DECEDENT** known to the **COUNTY**
 22 **MEDICAL** examiner, he or she may cause the body to be ~~decently~~
 23 buried, ~~except that the medical examiner~~ **PURSUANT TO LAW, BUT** may
 24 retain, as long as ~~may be~~ **HE OR SHE DETERMINES** necessary, ~~any~~ **A**
 25 portion of the body believed by the **COUNTY** medical examiner to be
 26 necessary for the detection of ~~any~~ **A** crime.

27 **SEC. 5B. (1) SUBJECT TO SUBSECTION (2), A COUNTY MEDICAL**

1 EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER SHALL NOT PERFORM AN
2 AUTOPSY ON THE BODY OF A DECEDENT IF ANY OF THE FOLLOWING
3 CIRCUMSTANCES EXIST:

4 (A) A NEXT OF KIN OF THE DECEDENT INFORMS THE COUNTY MEDICAL
5 EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER THAT AN AUTOPSY WOULD BE
6 CONTRARY TO THE DECEDENT'S RELIGIOUS BELIEFS.

7 (B) IF THERE IS NO NEXT OF KIN OF THE DECEDENT AVAILABLE, A
8 CLOSE PERSONAL FRIEND OF THE DECEDENT INFORMS THE COUNTY MEDICAL
9 EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER THAT AN AUTOPSY WOULD BE
10 CONTRARY TO THE DECEDENT'S RELIGIOUS BELIEFS AND THE CLOSE PERSONAL
11 FRIEND SUBMITS AN AFFIDAVIT TO THE COUNTY MEDICAL EXAMINER OR
12 DEPUTY COUNTY MEDICAL EXAMINER STATING THE FACTS AND CIRCUMSTANCES
13 UPON WHICH HIS OR HER CLAIM OF BEING A CLOSE PERSONAL FRIEND IS
14 BASED AND STATING THAT HE OR SHE WILL ASSUME RESPONSIBILITY FOR THE
15 LAWFUL DISPOSITION OF THE DECEDENT'S BODY.

16 (C) THERE IS OTHER INFORMATION AVAILABLE TO THE COUNTY MEDICAL
17 EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER SO THAT THERE IS AN
18 OBVIOUS REASON TO BELIEVE THAT AN AUTOPSY WOULD BE CONTRARY TO THE
19 DECEDENT'S RELIGIOUS BELIEFS.

20 (2) A COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL
21 EXAMINER MAY PERFORM AN AUTOPSY UNDER THE CIRCUMSTANCES DESCRIBED
22 IN SUBSECTION (1) IF THE COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY
23 MEDICAL EXAMINER DETERMINES THAT THERE IS A COMPELLING PUBLIC
24 NECESSITY FOR THE AUTOPSY. IF THE COUNTY MEDICAL EXAMINER OR DEPUTY
25 COUNTY MEDICAL EXAMINER DETERMINES THAT THERE IS A COMPELLING
26 PUBLIC NECESSITY FOR THE AUTOPSY, HE OR SHE SHALL NOT PERFORM THE
27 AUTOPSY FOR A PERIOD OF 48 HOURS AFTER MAKING THE DETERMINATION OF

1 COMPELLING PUBLIC NECESSITY. A COMPELLING PUBLIC NECESSITY EXISTS
2 FOR THE PURPOSES OF THIS SECTION IF EITHER OF THE FOLLOWING
3 CIRCUMSTANCES EXISTS:

4 (A) AN AUTOPSY IS NECESSARY FOR THE CONDUCT BY A LAW
5 ENFORCEMENT AGENCY OF AN INVESTIGATION OF A HOMICIDE OF WHICH THE
6 DECEDENT IS A VICTIM.

7 (B) AN AUTOPSY IS NECESSARY TO DETERMINE THE CAUSE OF THE
8 DECEDENT'S DEATH IN ORDER TO PROTECT AGAINST AN IMMEDIATE AND
9 SUBSTANTIAL THREAT TO THE PUBLIC HEALTH.

10 (3) DURING THE 48-HOUR PERIOD DESCRIBED IN SUBSECTION (2), THE
11 COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER SHALL
12 REEVALUATE HIS OR HER DETERMINATION OF COMPELLING PUBLIC NECESSITY
13 FOR THE AUTOPSY BY DOING ALL OF THE FOLLOWING:

14 (A) REVIEWING ALL OF THE FACTS AND INFORMATION AVAILABLE TO
15 HIM OR HER.

16 (B) SEEKING ANY NECESSARY ADDITIONAL INFORMATION.

17 (C) PERFORMING NONINVASIVE EXAMINATIONS OF THE BODY,
18 INCLUDING, BUT NOT LIMITED TO, EXTERNAL EXAMINATION, PHOTOGRAPHY,
19 X-RAY, LASER EXAMINATION, COMPUTED TOMOGRAPHY, AND MAGNETIC
20 RESONANCE IMAGING.

21 (4) DURING THE 48-HOUR PERIOD DESCRIBED IN SUBSECTION (2), A
22 NEXT OF KIN OR CLOSE PERSONAL FRIEND DESCRIBED IN SUBSECTION (1)
23 MAY PETITION A COURT OF COMPETENT JURISDICTION TO ENJOIN THE
24 AUTOPSY. THE NEXT OF KIN OR CLOSE PERSONAL FRIEND SHALL INFORM THE
25 COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER IN
26 WRITING OF THE PETITION. IF THE COUNTY MEDICAL EXAMINER OR DEPUTY
27 COUNTY MEDICAL EXAMINER HAS OBVIOUS REASON TO BELIEVE THAT AN

1 AUTOPSY WOULD BE CONTRARY TO THE DECEDENT'S RELIGIOUS BELIEFS AND
2 IF NEITHER THE DECEDENT'S NEXT OF KIN NOR THE DECEDENT'S CLOSE
3 PERSONAL FRIEND HAS RAISED AN OBJECTION TO THE AUTOPSY UNDER THIS
4 SUBSECTION, THE COUNTY MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL
5 EXAMINER SHALL REQUEST A JUDGE OF A COURT OF COMPETENT JURISDICTION
6 TO APPOINT A REPRESENTATIVE TO ACT ON BEHALF OF THE DECEDENT. THE
7 COURT IN WHICH A PETITION OR REQUEST IS FILED SHALL CONDUCT A
8 HEARING ON THE MATTER WITHIN 48 HOURS OF THE FILING OF THE
9 PETITION. IF THE COURT FINDS THAT THERE IS A COMPELLING PUBLIC
10 NECESSITY, THE COURT SHALL ALLOW THE COUNTY MEDICAL EXAMINER OR
11 DEPUTY COUNTY MEDICAL EXAMINER TO PERFORM THE AUTOPSY. A COUNTY
12 MEDICAL EXAMINER OR DEPUTY COUNTY MEDICAL EXAMINER WHO PERFORMS AN
13 AUTOPSY UNDER THIS SECTION SHALL USE THE MOST NONINVASIVE AND LEAST
14 INTRUSIVE PROCEDURES ALLOWED UNDER THE CIRCUMSTANCES.