

HOUSE BILL NO. 5494

February 22, 2024, Introduced by Rep. Schriver and referred to the Committee on Government Operations.

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 333.22121,~~ 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 does not take effect
13 unless Senate Bill No. ____ or House Bill No. 5477 (request no.
14 01038'23) of the 102nd Legislature is enacted into law.