



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bills 4077 and 4078 (as reported without amendment)

Sponsor: Representative Julie Rogers (H.B. 4077)

Representative Mike Mueller (H.B. 4078)

House Committee: Health Policy

Senate Committee: Health Policy

CONTENT

House Bill 4077 would amend Part 28 (Vital Records) and Part 161 (General Provisions) of the Public Health Code to do the following:

- Require the medical certification of a death to be performed by an attending physician or the authorized representative of that physician if the death occurred outside an institution.
- Require the medical certification of a death to be performed by an attending physician, the authorized representative of that physician, the chief medical officer of the institution, or a pathologist if the death occurred in an institution.
- Require the medical certification of a death that must be investigated by a county medical examiner to be certified by the county medical examiner.
- Require a death report and, beginning one year after the bill's effective date, the medical certification of a death to be submitted through an online platform established by the Department of Health and Human Services (DHHS).
- Prohibit a physician who was properly presented with a medical certification by a funeral director from neglecting or refusing to certify a death record and prescribe sanctions for violating this prohibition.
- Allow an attending physician's authorized representative to authorize the final disposition of a dead body during an investigation.

House Bill 4078 would amend Public Act (PA) 181 of 1953, which governs the creation and use of offices of county medical examiners, to do the following:

- Allow a physician acting as an authorized representative of the attending physician to determine cause of death in cases where an individual died without medical attendance.
- Specify that a county medical examiner would have to investigate the cause and manner of death of an individual if that individual died without medical attendance by a physician *within the one year immediately preceding the time of death*, instead of if the individual died without any medical attendance.

House Bill 4078 is tie-barred to House Bill 4077.

MCL 333.2804 et al. (H.B. 4077); MCL 52.202 & 52.203 (H.B. 4078)

BRIEF RATIONALE

The analog system for physicians and funeral directors to certify deaths leads to unnecessary delays in distributing death certificates. After the death of a loved one, death certificates are legal documents necessary for processing insurance claims, proceeding with a planned burial or cremation, and settling legal affairs. The bill's requirement that physicians and funeral directors use the DHHS's electronic system for death certification would allow loved ones of

deceased individual to receive a death certificate quicker. Quicker process for certification would allow families to proceed more quickly with necessary items after a loved one's death.

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

House Bills 4077 and 4078 are reintroductions of House Bills 5043 and 5044, respectively. House Bills 5043 and 5044 passed the House and were referred to the Senate Committee on Health Policy but received no further action.

Legislative Analyst: Alex Krabill

FISCAL IMPACT

House Bill 4077

The bill would have no fiscal impact on the DHHS and an indeterminate impact on local units of government. There would be no fiscal impact for the DHHS related to the provision that medical certifications of death be completed using a web-based application system because the DHHS has already established and operates the Michigan Electronic Death Registration System (EDRS). The EDRS was first piloted in Washtenaw and Jackson counties in 2010 and has since been implemented across the State, with approximately 99% of deaths in Michigan being registered electronically.¹ Additionally, the provision that the DHHS provide training for the web-based application to any individual who completed medical certifications under the bill would have no fiscal impact because the DHHS currently offers quarterly instructor-led online trainings or a self-directed online training module.²

Local units of government could see a reduction in cost if they don't currently use the web-based reporting system and see a reduction in workload by switching. The removal of provisions related to when a case must be referred to the county medical examiner would reduce costs if the removal resulted in a reduction in workload for the county medical examiner. The bill could result in a loss in revenue for local and county law libraries while possibly creating cost savings for local governments. The elimination of the misdemeanor and fine for refusing to certify a death record or neglecting or refusing to furnish certain information would reduce resource demands on law enforcement, court systems, community supervision, and jails; however, it is unknown how many people who were formerly prosecuted under those provisions of the bill would no longer be prosecuted, thereby the savings to locals and the loss in revenue for local libraries is indeterminate.

House Bill 4078

The bill would have an indeterminate negative fiscal impact on local units of government. By extending the time frame that would trigger an investigation by a county medical examiner or deputy county medical examiner from a person who died without medical attendance within the preceding 48 hours to a person who died without medical attendance within the preceding one year, it is possible that the number of investigations that the county would have to undertake would increase. The actual cost impact would depend on the number and complexity of additional cases.

Date Completed: 11-13-25 Fiscal Analyst: Ellyn Ackerman; Bobby Canell; Joe Carrasco, Jr.

¹ <https://michiganedrs.org>

² *Id.*

[floor/hb4077](#)

Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.