

HOUSE BILL NO. 2402

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions

on \_\_\_\_\_)

(Patron Prior to Substitute--Delegate Seibold)

A BILL to amend the Code of Virginia by adding a section numbered 32.1-283.9, relating to Sudden Unexpected Death in Epilepsy; protocol; information; training.

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 32.1-283.9 as follows:**

**§ 32.1-283.9. Investigation of deaths involving Sudden Unexpected Death in Epilepsy; protocol; information; training.**

A. For purposes of this section, "Sudden Unexpected Death in Epilepsy" or "SUDEP" means the sudden and unexplained death of a healthy individual with epilepsy that is not by drowning, injury, or other known causes.

B. In any case involving a finding of death resulting from SUDEP, the Office of the Chief Medical Examiner (i) shall, in addition to other information it deems appropriate, indicate SUDEP as the cause of death on the decedent's death certificate and (ii) shall within 30 days of such finding refer the case to the Epilepsy Foundation of Virginia, which shall provide to the decedent's next of kin, if known, information regarding the benefits of and process for submitting the deceased's medical information, including information about the deceased's history of epilepsy and seizures, to the North American SUDEP Registry. SUDEP shall be included in the deaths investigated pursuant to § 32.1-283.

C. The Epilepsy Foundation of Virginia shall provide a link to the Office of the Chief Medical Examiner with information on SUDEP, which the Office of the Chief Medical Examiner shall publish, with a SUDEP death investigation form, on its website.

D. The Chief Medical Examiner and all assistant medical examiners shall complete one hour of virtual training in the investigation of SUDEP per triennium through the Epilepsy Foundation of Virginia.

**27 2. That the provisions of this act shall become effective on January 1, 2024.**

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