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SENATE BILL NO. 1213

Offered January 8, 2025

Prefiled January 8, 2025

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

Patron—Pekarsky

Referred to Committee on Education and Health

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; autopsy 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, but for which there is often evidence of an associated seizure. A finding of SUDEP is definite when clinical criteria are met and an autopsy reveals no alternative cause of death, such as stroke, myocardial infarction, or drug intoxication, although there may be evidence of a seizure.

B. An autopsy shall be performed in the case of any death that is suspected to be attributable to Sudden Unexpected Death in Epilepsy. In any such case, the Office of the Chief Medical Examiner shall, within 30 days after concluding any investigation pursuant to § 32.1-283, refer the case to a public or private institution, which shall provide to the decedent's next of kin information regarding the benefits and process for submitting the decedent's medical information, including information about the decedent's history of epilepsy and seizures, to the North American SUDEP Registry.

C. The Office of the Chief Medical Examiner shall publish resources with information on SUDEP and 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. Newly appointed medical examiners shall complete such training within 90 days of appointment.

E. These duties shall be performed up to the amount funded by public and private institutions.

2. That the provisions of this act shall become effective on January 1, 2026.

INTRODUCED

SB1213