

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

increase in caseload. From 2018 – 2022, there has been an average of 85 epilepsy related deaths per year. OCME has stated that current information about SUDEP indicates that these cases are generally underreported. Therefore, this number is probably significantly higher.

In order for OCME to properly perform the requirements of this legislation, OCME will need to hire a classified staff member. This staff member will need to have medical knowledge, preferably at the level of a registered nurse, in order to answer questions from decedents' families. This individual will need to speak with these families prior to having the institution contact them to discuss the benefits of the North American SUDEP Registry and will need to be available to families after they speak with the representative from the institution. Additionally, this employee will need to update and ensure that the OCME's website has accurate and current resources about SUDEP. Furthermore, this employee will need the knowledge to be able to develop a SUDEP death investigation form in order to have it on the OCME's website. This employee will also need to research virtual trainings about investigating SUDEP that the Chief Medical Examiner, Assistant Medical Examiners, and local medical examiners can take as required by this law. Furthermore, this position will need to work to research and find funding opportunities from public and private institutions to be able to perform this work. The total cost for this position, including salary, benefits and VITA costs, is \$139,794.

Additionally, part of the autopsy will include neuropathology and cardiac pathology review; OCME will need to consult for these services. Currently, the OCME pays \$1000 per case for neuropathology consult and \$500 per case for cardiac pathology consult. However, OCME can utilize services provided by the Department of Forensic Science to perform a portion of toxicology testing, which has the capacity to test for 15 epilepsy medications, however there are currently over 70 medications. In total, OCME would need additional general fund support for toxicology testing, amounts range from \$220,000 per year up to \$247,500 per year as the number of reported cases grows.

Since the legislation goes into effect January 1, 2026, costs for FY2026 are reduced by half ($\$139,794/2 + \$220,000/2 = 179,897$). Out year costs start at \$359,794 ($139,794 + \$220,000$) and are intended to grow as reported cases increase.

Other: None.