

SENATE BILL NO. 207

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on January 22, 2026)

(Patron Prior to Substitute—Senator Pekarsky)

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.

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.

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 manner of death consistent with SUDEP, the Office of the Chief Medical Examiner shall (i) in addition to other information it deems appropriate, disclose its investigation into the cause of death in a full report, which shall include written findings pursuant to § 32.1-283, and (ii) within 30 days of such finding refer the case to a public or private institution, 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.

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