

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

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**ORIGINAL**

**Bill Number:** SB207 **Patron:** Pekarsky  
**Bill Title:** Sudden Unexpected Death in Epilepsy; autopsy protocol; information; training.

**Bill Summary:** Requires the Office of the Chief Medical Examiner (OCME) to take certain actions upon the finding that an individual died from Sudden Unexpected Death in Epilepsy (SUDEP), defined in the bill. The bill directs the Office of the Chief Medical Examiner to publish information on SUDEP and a SUDEP death investigation form on its website. Additionally, the bill requires the Chief Medical Examiner and local medical examiners to complete training in the investigation of SUDEP on a triennial basis.

**Budget Amendment Necessary:** Yes **Items Impacted:** 276  
**Explanation:** The public and private institutions referenced in the bill are unspecified. As such, it is unclear to what extent OCME would be provided support for the required activities. The fiscal analysis estimates the cost of fulfilling the legislative requirements if resources were made available.

**Fiscal Summary:** The Virginia Department of Health (VDH) would need additional resources (funding and one position) to implement the requirements included in this bill. However, the bill's provisions related to "public and private institutions" adds uncertainty as to the potential source of funding and the need for VDH to comply with the bill's provisions should no funding be provided.

**Expenditure Impact:**

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
VDH (601)	-	\$142,671	\$142,671	\$142,671	\$142,671	\$142,671

**Position Impact:**

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
VDH (601)	-	1	1	1	1	1

**Fiscal Analysis:** The proposed legislation requires OCME to take certain actions on any death that is suspected to be attributable to SUDEP. OCME is required to refer the case, within 30 days after concluding an investigation, to an unspecified public or private institution. This institution would then be required to provide the decedent's next of kin information pertaining to the benefits and process for submitting the decedent's information to the North American SUDEP Registry. It also requires the OCME to publish information on its website regarding SUDEP and a SUDEP death investigation form. Additionally, the bill requires the Chief Medical Examiner and assistant chief medical examiners to complete SUDEP specific virtual training per triennium or any newly appointed medical examiners within 90 days of appointment to complete the training.

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VDH reports that OCME cannot absorb the additional workload required by this bill within existing resources. To properly fulfill the requirements of this legislation, OCME would need to hire a full-time, restricted position. This position will need 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. VDH reports that the total cost for this position, including salary, benefits and VITA costs, is \$142,671 annually.

The provisions of the bill state, "these duties shall be performed up to the amount funded by public and private institutions." It is unclear as to the nature of the institutions referenced in the bill and to what extent OCME would receive support for the required activities. The expenditure impact reflects the estimated cost of fulfilling the legislative requirements if such resources were provided. If no resources are provided and there is an expectation that OCME meets the bill's requirements then general fund support is necessary.

**Other:** This bill is similar to HB376.