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SENATE BILL NO. 207
AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the Senate Committee on Finance and Appropriations
 on February 5, 2026)
 (Patron Prior to Substitute—Senator Pekarsky)

A *BILL* to direct the Office of the Chief Medical Examiner to assess the feasibility of implementing and administering a protocol to refer cases involving Sudden Unexpected Death in Epilepsy to public or private institutions and to publish resources with information on Sudden Unexpected Death in Epilepsy on its website.

Be it enacted by the General Assembly of Virginia:

1. § 1. For purposes of this act, "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.

§ 2. That the Office of the Chief Medical Examiner (the Office) shall assess the feasibility of implementing and administering a protocol whereby the Office refers cases involving a manner of death consistent with SUDEP to public or private institutions and publishes resources with information on SUDEP on its website. In conducting its assessment, the Office shall consider the feasibility and impact of (i) disclosing its investigation into the cause of death in any case involving a manner of death consistent with SUDEP in a full report, which shall include written findings pursuant to § 32.1-283 of the Code of Virginia; (ii) within 30 days of such finding, referring 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; and (iii) publishing resources with information on SUDEP and a SUDEP death investigation form on its website. The Office shall develop cost estimates for the implementation and administration of such protocol. The Office shall submit a report on any findings to the Chairs of the Senate Committees on Finance and Appropriations and Education and Health and the House Committee on Appropriations no later than October 15, 2026.

SENATE SUBSTITUTE

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