

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0349.01 Pierce Lively x2059

SENATE BILL 26-077

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SENATE SPONSORSHIP

**Jodeh,**

HOUSE SPONSORSHIP

**(None),**

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**Senate Committees**  
Health & Human Services

**House Committees**

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**A BILL FOR AN ACT**  
101     **CONCERNING EPILEPSY-RELATED MORTALITY AWARENESS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires the department of public health and environment (department) to do the following in relation to sudden unexpected death in epilepsy and other epilepsy-related mortalities:

- Gather and provide to families and health-care practitioners information on sudden unexpected death in epilepsy and other epilepsy-related mortalities;
- Ensure that all death investigation professionals are aware of the latest epilepsy-related death investigation

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters or bold & italic numbers indicate new material to be added to existing law.*

*Dashes through the words or numbers indicate deletions from existing law.*

recommendations from a nationally recognized and reputable organization of medical examiners and a nationally recognized and reputable organization of medicolegal death investigators;

- Conduct a statewide public health campaign to expand public awareness of and educate the public about epilepsy and its associated mortality risks; and
  - Report all epilepsy-related deaths to a sudden unexpected death in epilepsy registry.

The bill also requires that investigations regarding the cause and manner of a death suspected to be or determined to be caused by epilepsy or a seizure must include a determination of whether the death was a direct result of a seizure or epilepsy. If there is a determination that the cause and manner of an individual's death was consistent with the definition of known or suspected sudden unexpected death in epilepsy, a death investigation professional shall ensure that the individual's death certificate identifies epilepsy as the contributing cause or suspected cause of death.

1     *Be it enacted by the General Assembly of the State of Colorado:*

2                   **SECTION 1.** In Colorado Revised Statutes, **add** article 60 to title  
3                   25 as follows:

## ARTICLE 60

## **Epilepsy-related Mortalities and Awareness**

## 25-60-101. Short title.

THE SHORT TITLE OF THIS ARTICLE 60 IS "LINCOLN'S LAW".

## **25-60-102. Legislative declaration.**

(1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

10 (a) EPILEPSY IS A BRAIN DISORDER THAT CAUSES RECURRING AND  
11 UNPROVOKED SEIZURES AND AFFECTS PEOPLE OF ALL AGES, IMPACTING  
12 APPROXIMATELY THREE MILLION ADULTS AND FOUR HUNDRED AND  
13 FIFTY-SIX THOUSAND CHILDREN IN THE UNITED STATES:

14 (b) THIRTY PERCENT OF PEOPLE WITH EPILEPSY LIVE WITH  
15 UNCONTROLLED SEIZURES:

1 (c) PEOPLE WITH EPILEPSY HAVE A THREE TIMES HIGHER RISK OF  
2 EARLY DEATH THAN THE GENERAL POPULATION, AND THAT RISK IS  
3 INCREASED FOR THOSE WITH UNCONTROLLED SEIZURES;

4 (d) SUDDEN UNEXPECTED DEATH IN EPILEPSY CLAIMS THE LIVES OF  
5 ONE OF EVERY ONE THOUSAND PEOPLE LIVING WITH EPILEPSY AND ONE OF  
6 EVERY ONE HUNDRED FIFTY PEOPLE LIVING WITH EPILEPSY AND  
7 UNCONTROLLED SEIZURES;

15 (f) SUDDEN UNEXPECTED DEATH IN EPILEPSY IS THE MOST  
16 COMMON CAUSE OF PREMATURE EPILEPSY-RELATED MORTALITY;

17 (g) SUDDEN UNEXPECTED DEATH IN EPILEPSY IS THE TERM USED  
18 WHEN SOMEONE WITH EPILEPSY DIES WITHOUT WARNING, AND NO OTHER  
19 CAUSE OF DEATH CAN BE FOUND;

20 (h) RISK COUNSELING FOCUSED ON ALL CAUSES OF EPILEPSY  
21 MORTALITY, INCLUDING SUDDEN UNEXPECTED DEATH IN EPILEPSY, CAN  
22 HELP MITIGATE RISK AND PREVENT UNNECESSARY DEATHS.  
23 UNFORTUNATELY, THESE SERVICES ARE OFTEN UNAVAILABLE DUE TO A  
24 LACK OF AWARENESS AND EDUCATION AND THE ABSENCE OF CONSISTENT  
25 REIMBURSEMENT FOR POST-DIAGNOSIS EDUCATION AND CASE  
26 MANAGEMENT SERVICES.

27 (i) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO HELP MITIGATE

1 RISK AND PREVENT UNNECESSARY DEATHS BY INCREASING AWARENESS  
2 AND EDUCATION CONCERNING SUDDEN UNEXPECTED DEATH IN EPILEPSY.

3 **25-60-103. Definitions.**

4 AS USED IN THIS ARTICLE 60, UNLESS THE CONTEXT OTHERWISE  
5 REQUIRES:

6 (1) "DEATH INVESTIGATION PROFESSIONAL" MEANS A CORONER,  
7 MEDICAL EXAMINER, FORENSIC PATHOLOGIST, OR OTHER QUALIFIED  
8 INDIVIDUAL WHO DETERMINES THE CAUSE OF DEATH AND COMPLETES THE  
9 MEDICAL CERTIFICATION FOR A CERTIFICATE OF DEATH IN ACCORDANCE  
10 WITH SECTION 25-2-110.

11 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
12 AND ENVIRONMENT CREATED IN SECTION 25-1-102 (1).

13 **25-60-104. Epilepsy-related mortality awareness and training.**

14 (1) (a) ON OR BEFORE JULY 1, 2027, THE DEPARTMENT SHALL, IN  
15 COLLABORATION WITH RELEVANT HEALTH GROUPS, GATHER  
16 EVIDENCE-BASED INFORMATION ON SUDDEN UNEXPECTED DEATH IN  
17 EPILEPSY AND OTHER EPILEPSY-RELATED MORTALITIES FROM  
18 PUBLICATIONS THAT ADDRESS AND NONPROFIT ORGANIZATIONS THAT ARE  
19 EXPERTS ON EPILEPSY AND SUDDEN UNEXPECTED DEATH IN EPILEPSY TO  
20 CREATE STANDARD INFORMATION TO PROVIDE TO FAMILIES AND  
21 HEALTH-CARE PRACTITIONERS.

22 (b) THE INFORMATION PROVIDED BY THE DEPARTMENT PURSUANT  
23 TO SUBSECTION (1)(a) OF THIS SECTION SHALL, AT A MINIMUM, INCLUDE:

24 (I) CURRENT AND EVIDENCE-BASED INFORMATION ABOUT SUDDEN  
25 UNEXPECTED DEATH IN EPILEPSY AND OTHER EPILEPSY-RELATED  
26 MORTALITY RISK FACTORS; AND

27 (II) CONTACT INFORMATION FOR NONPROFIT ORGANIZATIONS THAT

1 PROVIDE SUPPORT SERVICES FOR EPILEPSY CONDITIONS.

2 (c) THE DEPARTMENT SHALL ENSURE THAT THE INFORMATION IT  
3 PROVIDES PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION IS AVAILABLE  
4 ON STATE HEALTH-RELATED WEBSITES AND IS READILY ACCESSIBLE TO  
5 FAMILIES AND HEALTH-CARE PRACTITIONERS.

6 (2) (a) ON OR BEFORE JULY 1, 2027, THE DEPARTMENT SHALL  
7 ENSURE THAT ALL DEATH INVESTIGATION PROFESSIONALS ARE AWARE OF  
8 THE LATEST EPILEPSY-RELATED DEATH INVESTIGATION  
9 RECOMMENDATIONS FROM A NATIONALLY RECOGNIZED AND REPUTABLE  
10 ORGANIZATION OF MEDICAL EXAMINERS AND A NATIONALLY RECOGNIZED  
11 AND REPUTABLE ORGANIZATION OF MEDICOLEGAL DEATH INVESTIGATORS.

12 (b) THE DEPARTMENT MAY SATISFY THE REQUIREMENT OF  
13 SUBSECTION (2)(a) OF THIS SECTION BY ESTABLISHING A TRAINING  
14 PROGRAM, IN CONSULTATION WITH A NATIONALLY RECOGNIZED AND  
15 REPUTABLE ORGANIZATION OF MEDICAL EXAMINERS AND A NONPROFIT  
16 NATIONAL ORGANIZATION THAT SUPPORTS THE WELFARE OF INDIVIDUALS  
17 WITH EPILEPSY AND SEIZURE DISORDERS, TO EDUCATE DEATH  
18 INVESTIGATION PROFESSIONALS ABOUT SUDDEN UNEXPECTED DEATH IN  
19 EPILEPSY AND OTHER EPILEPSY-RELATED MORTALITIES AND STANDARD  
20 PROTOCOLS GOVERNING MEDICOLEGAL DEATH INVESTIGATIONS  
21 INVOLVING SEIZURE DISORDERS THAT BEST IDENTIFY SUDDEN  
22 UNEXPECTED DEATH IN EPILEPSY AND OTHER EPILEPSY-RELATED  
23 MORTALITIES AS A KNOWN OR SUSPECTED CAUSE OF DEATH.

24 **25-60-105. Sudden unexpected death in epilepsy -**  
25 **identification - reporting.**

26 (1) (a) FOR EACH DEATH UNDER INVESTIGATION THAT IS  
27 SUSPECTED TO BE OR DETERMINED TO BE CAUSED BY EPILEPSY OR A

1 SEIZURE, INQUIRIES REGARDING THE CAUSE AND MANNER OF DEATH MUST  
2 INCLUDE A DETERMINATION OF WHETHER THE DEATH WAS A DIRECT  
3 RESULT OF A SEIZURE OR EPILEPSY.

4 (b) IF A DEATH INVESTIGATION PROFESSIONAL DETERMINES THAT  
5 THE CAUSE AND MANNER OF AN INDIVIDUAL'S DEATH IS CONSISTENT WITH  
6 KNOWN OR SUSPECTED SUDDEN UNEXPECTED DEATH IN EPILEPSY, A DEATH  
7 INVESTIGATION PROFESSIONAL SHALL ENSURE THAT THE INDIVIDUAL'S  
8 DEATH CERTIFICATE IDENTIFIES EPILEPSY AS THE CONTRIBUTING CAUSE OR  
9 SUSPECTED CAUSE OF DEATH.

10 (c) THE DEPARTMENT SHALL REPORT ALL EPILEPSY-RELATED  
11 DEATHS TO A SUDDEN UNEXPECTED DEATH IN EPILEPSY REGISTRY.

12 **25-60-106. Epilepsy and epilepsy-related mortality risks  
13 public health campaign.**

14 ON OR BEFORE JULY 1, 2027, THE DEPARTMENT SHALL CONDUCT A  
15 STATEWIDE PUBLIC HEALTH CAMPAIGN TO EXPAND PUBLIC AWARENESS OF  
16 AND EDUCATE THE PUBLIC ABOUT EPILEPSY AND ITS ASSOCIATED  
17 MORTALITY RISKS. THE DEPARTMENT SHALL INCLUDE INFORMATION ON  
18 MITIGATING RISKS OF SUSPECTED SUDDEN UNEXPECTED DEATH IN  
19 EPILEPSY AND OTHER EPILEPSY-RELATED MORTALITIES AS PART OF THIS  
20 CAMPAIGN.

21 **SECTION 2. Act subject to petition - effective date.** This act  
22 takes effect at 12:01 a.m. on the day following the expiration of the  
23 ninety-day period after final adjournment of the general assembly (August  
24 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
25 referendum petition is filed pursuant to section 1 (3) of article V of the  
26 state constitution against this act or an item, section, or part of this act  
27 within such period, then the act, item, section, or part will not take effect

1      unless approved by the people at the general election to be held in  
2      November 2026 and, in such case, will take effect on the date of the  
3      official declaration of the vote thereon by the governor.