

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0349.01 Pierce Lively x2059

SENATE BILL 26-077

SENATE SPONSORSHIP

Jodeh,

HOUSE SPONSORSHIP

(None),

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING EPILEPSY-RELATED MORTALITY AWARENESS.**

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:

4 **ARTICLE 60**

5 **Epilepsy-related Mortalities and Awareness**

6 **25-60-101. Short title.**

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

8 **25-60-102. Legislative declaration.**

9 (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;

8 (e) ANNUALLY IN THE UNITED STATES, MORE THAN SIX THOUSAND
9 PEOPLE WITH EPILEPSY DIE FROM CAUSES LIKE SUDDEN UNEXPECTED
10 DEATH IN EPILEPSY, STATUS EPILEPTICUS, UNINTENTIONAL INJURIES, AND
11 SUICIDE. THIS STATISTIC UNDERESTIMATES THE NUMBER OF DEATHS
12 CAUSED BY EPILEPSY OR SUDDEN UNEXPECTED DEATH IN EPILEPSY, DUE TO
13 POOR RECOGNITION, INCOMPLETE DEATH RECORDS, AND MISATTRIBUTED
14 CAUSES OF MORTALITY.

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 CERTIFICATION 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**
14 **training.**

15 (1) BEGINNING JULY 1, 2027, A DEATH CERTIFICATION
16 PROFESSIONAL SHALL ENSURE THAT THEY ARE AWARE OF THE MOST
17 RECENT EPILEPSY-RELATED DEATH CERTIFICATION RECOMMENDATIONS
18 FROM A NATIONALLY RECOGNIZED AND REPUTABLE ORGANIZATION
19 ASSOCIATED WITH THEIR RESPECTIVE MEDICAL PRACTICE FOCUS OR FROM
20 THE NATIONAL ASSOCIATION OF MEDICAL EXAMINERS.

21 (2) ON OR BEFORE JUNE 1, 2027, THE DEPARTMENT SHALL
22 ELECTRONICALLY NOTIFY ALL REGISTERED USERS OF THE COLORADO
23 VITAL EVENTS SYSTEM OF THE REQUIREMENTS OF SUBSECTION (1) OF THIS
24 SECTION.

25 **25-60-105. Sudden unexpected death in epilepsy -**
26 **identification - death certificates.**

27 (1) IF A DEATH CERTIFICATION PROFESSIONAL DETERMINES THAT

1 THE CAUSE OF AN INDIVIDUAL'S DEATH IS CONSISTENT WITH KNOWN OR
2 SUSPECTED SUDDEN UNEXPECTED DEATH IN EPILEPSY, THE DEATH
3 CERTIFICATION PROFESSIONAL SHALL ENSURE THAT THE INDIVIDUAL'S
4 DEATH CERTIFICATE IDENTIFIES EPILEPSY AS A CONTRIBUTING CAUSE OR
5 A SUSPECTED CAUSE OF DEATH CONSISTENT WITH THE MOST RECENT
6 EPILEPSY-RELATED DEATH CERTIFICATION RECOMMENDATIONS FROM A
7 NATIONALLY RECOGNIZED AND REPUTABLE ORGANIZATION ASSOCIATED
8 WITH THE DEATH CERTIFICATION PROFESSIONAL'S MEDICAL PRACTICE
9 FOCUS OR FROM THE NATIONAL ASSOCIATION OF MEDICAL EXAMINERS.

10 (2) THE DEPARTMENT MAY PROVIDE ONLINE GUIDELINES FOR
11 CLINICIANS AND MEDICAL CERTIFIERS FOR DEATH CERTIFICATES
12 REGARDING EPILEPSY-RELATED DEATHS, INCLUDING SUDDEN UNEXPECTED
13 DEATH IN EPILEPSY.

14 **SECTION 2. Act subject to petition - effective date.** This act
15 takes effect at 12:01 a.m. on the day following the expiration of the
16 ninety-day period after final adjournment of the general assembly (August
17 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
18 referendum petition is filed pursuant to section 1 (3) of article V of the
19 state constitution against this act or an item, section, or part of this act
20 within such period, then the act, item, section, or part will not take effect
21 unless approved by the people at the general election to be held in
22 November 2026 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.