

Colorado *Legislative Council Staff Fiscal Note*

**FINAL
FISCAL NOTE**
Drafting Number: LLS 13-0879**Date:** May 13, 2013**Prime Sponsor(s):** Rep. Joshi
Sen. Aguilar**Bill Status:** Postponed Indefinitely
Fiscal Analyst: Kirk Mlinek (303-866-2756)

TITLE: CONCERNING THE CREATION OF "THE SUDDEN UNEXPECTED DEATH IN EPILEPSY REPORTING REQUIREMENT ACT OF 2013", AND, IN CONNECTION THEREWITH, RAISING AWARENESS ABOUT AND REQUIRING REPORTING OF EPILEPSY-RELATED DEATHS.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures		
Cash Funds		
Vital Statistics Records Cash Fund	\$25,000	\$10,000
FTE Position Change		
Effective Date: The bill was postponed indefinitely by the House Public Health Care and Human Services Committee on April 2, 2013.		
Appropriation Summary for FY 2013-2014: See State Appropriations section.		
Local Government Impact: See Local Government Impact section.		

Summary of Legislation

The bill requires the state's chief medical officer (CMO) to establish a Sudden Unexpected Death in Epilepsy (SUDEP) Awareness Program to educate medical examiners and coroners about SUDEP. Colorado's CMO is the executive director of the Department of Public Health and Environment (DPHE). Further, the bill requires:

- the CMO, in consultation with county medical examiners, coroners, and organizations with expertise in SUDEP, to establish a standard protocol governing investigations involving seizure disorders in order to identify related deaths; and
- that all postmortem examinations must include an inquiry to determine whether the death was a direct result of seizure or epilepsy.

Once it is determined that a death is related to SUDEP, the medical examiner or coroner is required to:

- indicate on the death certificate that SUDEP is the cause, or suspected cause, of death;
- retain and track the information and make data concerning seizure-related deaths publicly available upon request, with the individual's identity redacted for confidentiality;

- work with relevant organizations in the state to assist in requesting from survivors of deceased individuals that relevant medical information be forwarded to the SUDEP registry, consistent with federal privacy laws; and
- work with relevant organizations in the state to assist in requesting from survivors that an individual's brain be donated to a brain bank for research purposes.

State Expenditures

Expenditures in the DPHE will increase by \$25,000 in FY 2013-14, and by \$10,000 in FY 2014-15 and future years. DPHE will contract with an appropriate party to prepare training materials and to train coroners and medical examiners in how to identify SUDEP-related deaths and to properly fill out a death certificate to reflect such deaths. Only the ongoing costs of training are reflected in out-year expenditures. The Vital Statistics Records Cash Fund is the source of funds for the expenditures. The Electronic Death Registration System, currently in development, will be used to meet the bill's reporting requirements.

Local Government Impact

Coroners and medical examiners will require training in the new examination standard, will track more information, and will, upon request, provide selected information to a requesting party. Coroners and medical examiners are also required to work with survivors of SUDEP-diseased individuals to have the individual's brain donated to a brain bank for research purposes, with shipping costs paid by the brain bank. These activities will increase the workload and related costs for coroners and medical examiners.

State Appropriations

For FY 2013-14, the Department of Public Health and Environment requires an appropriation of \$25,000 from the Vital Statistics Records Cash Fund.

Departments Contacted

Public Health and Environment
Counties
Regulatory Agencies

Local Affairs
Municipalities

Higher Education
Coroners