

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 26-077

BY SENATOR(S) Jodeh, Amabile, Ball, Benavidez, Bright, Carson, Cutter, Danielson, Daugherty, Exum, Frizell, Gonzales J., Hinrichsen, Kipp, Kirkmeyer, Kolker, Lindstedt, Marchman, Mullica, Roberts, Rodriguez, Simpson, Snyder, Sullivan, Wallace, Weissman, Coleman;
also REPRESENTATIVE(S) Gilchrist and Stewart K., Bacon, Boesenecker, Brown, Camacho, Clifford, Duran, Feret, Froelich, Hamrick, Jackson, Lieder, Lindsay, Marshall, Nguyen, Rutinel, Rydin, Stewart R., Story, Titone, McCluskie.

CONCERNING EPILEPSY-RELATED MORTALITY AWARENESS.

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

SECTION 1. In Colorado Revised Statutes, **add** article 60 to title 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".

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

25-60-102. Legislative declaration.

(1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

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

(b) THIRTY PERCENT OF PEOPLE WITH EPILEPSY LIVE WITH UNCONTROLLED SEIZURES;

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

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

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

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

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

(h) RISK COUNSELING FOCUSED ON ALL CAUSES OF EPILEPSY MORTALITY, INCLUDING SUDDEN UNEXPECTED DEATH IN EPILEPSY, CAN HELP MITIGATE RISK AND PREVENT UNNECESSARY DEATHS. UNFORTUNATELY,

THESE SERVICES ARE OFTEN UNAVAILABLE DUE TO A LACK OF AWARENESS AND EDUCATION AND THE ABSENCE OF CONSISTENT REIMBURSEMENT FOR POST-DIAGNOSIS EDUCATION AND CASE MANAGEMENT SERVICES.

(i) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO HELP MITIGATE RISK AND PREVENT UNNECESSARY DEATHS BY INCREASING AWARENESS AND EDUCATION CONCERNING SUDDEN UNEXPECTED DEATH IN EPILEPSY.

25-60-103. Definitions.

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

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

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

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

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

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

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

(1) IF A DEATH CERTIFICATION PROFESSIONAL DETERMINES THAT THE

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

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

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

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

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO