



HOUSE BILL 814: The William C. Lindley, Jr. SUDEP Law

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-211

Date:

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Legislative Analyst

SUMMARY: *S.L. 2015-211 requires the Chief Medical Examiner to appoint two or more county medical examiners for each county; removes coroners from the list of those that may be appointed as medical examiners; requires county medical examiners to complete continuing education training, including sudden unexpected death in epilepsy (SUDEP) training; requires newly appointed county medical examiners to complete mandatory orientation training; and allows the Chief Medical Examiner to revoke a county medical examiner's appointment for failure to adequately perform the duties of the office.*

This act becomes effective January 1, 2016.

CURRENT LAW: G.S. 130A-385 outlines the duties of a medical examiner. A medical examiner is responsible for making inquiries regarding the cause and manner of death for each body in his or her charge, reducing the findings to writing, and making a full report to the Chief Medical Examiner. Medical examiners are authorized to inspect and copy medical records of the decedent. Upon completion of the investigation, the medical examiner is required to complete a death certificate, which includes the cause, means or manner of death, including if such a cause, means, or manner is undeterminable.

BILL ANALYSIS: S.L. 2015-211 makes the changes outlined below to G.S. 130A-382 which provides for the appointment, terms of office, vacancies, training requirements, and revocation of county medical examiners.

- Requires the Chief Medical Examiner to appoint two or more county medical examiners for each county, previously one or more.
- Under current law, the County Medical Examiner must continue to give preference to physicians when appointing medical examiners, but may also appoint licensed physician assistants, nurse practitioners, nurses, or emergency medical technician paramedics. The act removes "coroners" from the list of those that may be appointed.
- Requires county medical examiners to complete continuing education training based upon established and published guidelines for conducting death investigations and requires the Office of the Chief Medical Examiner to annually update and publish the guidelines on its Internet Web site.
- The continuing education must include training regarding sudden unexpected death in epilepsy (SUDEP) which is a rare condition in which young or middle-aged individuals with epilepsy die without a clear cause.
- Newly appointed county medical examiners must complete mandatory orientation training within 90 days of their appointment.

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- Allows the Chief Medical Examiner to revoke a county medical examiner's appointment for failure to adequately perform the duties of the office after giving written notice of the basis for the revocation and opportunity to respond.

EFFECTIVE DATE: The act becomes effective January 1, 2016.

BACKGROUND: According to the Epilepsy Foundation, SUDEP "is said to occur when a person with epilepsy dies unexpectedly and was previously in their usual state of health. The death is not known to be related to an accident or seizure emergency such as status epilepticus. When an autopsy is done, no other of cause of death can be found. Each year, more than 1 out of 1,000 people with epilepsy die from SUDEP." ¹

¹ <http://www.epilepsy.com/sudep-institute>