WEST VIRGINIA CODE: §16-2F-1

§16-2F-1. Legislative findings and intent.

(a) The Legislature finds that immature minors often lack the ability to make fully informed choices that take into account both immediate and long-range consequences of their actions; that the medical, emotional and psychological consequences of abortion are serious and of indeterminate duration, particularly when the patient is immature; that in its current abortion policy as expressed in Bellotti v. Baird, 443 U.S. 622 (1979), H. L. v. Matheson, 450 U.S. 398 (1981), and Hodgson v. Minnesota, 497 U.S. 417, (1990), the United States Supreme Court held that notification of a parent with a judicial waiver procedure is Constitutional; that parents ordinarily possess information essential to a physician's exercise of his or her best medical judgment concerning their child; and that parents who are aware that their minor daughter has had an abortion may better ensure that the minor receives adequate medical attention after her abortion.

(b) The Legislature further finds that parental consultation regarding abortion is usually desirable and in the best interests of the minor.

(c) The Legislature further finds there exists important and compelling state interests:

(1) In protecting minors against their own immaturity,

(2) In fostering the family structure and preserving it as a viable social unit, and

(3) In protecting the rights of parents to rear their own children in their own household.

(d) It is, therefore, the intent of the Legislature to further these important and compelling state interests by enacting this parental notice provision.

WV Legislature