

# WEST VIRGINIA CODE: §16-5-21A

## **§16-5-21a. Noah's Law; certificate of birth for a stillbirth; and contents of certificate.**

- (a) This section of the code shall be known as "Noah's Law".
- (b) For the purposes of this section, the term "stillbirth" or "stillborn" means an unintended intrauterine fetal death occurring in this state.
- (c) Following a report of fetal death as required by section twenty-one of this article, either the mother or father of a stillborn child may request that a certificate of birth resulting in stillbirth be issued by the State Registrar. Only the mother of the child may request a certificate if:
- (1) The child has not been legitimized;
  - (2) A court has not determined the paternity of the child;
  - (3) If no father has been identified; or
  - (4) If the child was conceived as a result of a sexual assault as defined in article eight-b, chapter sixty-one of this code.
- (d) The State Registrar may charge a fee for the issuance of the certificate. The fee shall be the same as the fee for a death certificate issued by the State Registrar.
- (e) The certificate shall include, but is not limited to:
- (1) The name of the stillborn child;
  - (2) The date of delivery;
  - (3) The county of delivery;
  - (4) The mother's name and birthplace;
  - (5) The father's name and birthplace; and
  - (6) The statement: "This certificate is not proof of live birth."
- (f) The certificate does not affect the registration, filing or record requirements of this article, nor does the issuance of the certificate impose upon a coroner or medical examiner any additional duties to conduct an investigation.