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.

WV Legislature