WEST VIRGINIA CODE: §61-12A-4

§61-12A-4. Confidentiality.

(a) Proceedings, records, and opinions of the Fatality and Mortality Review Team are confidential and are not subject to discovery, subpoena, or introduction into evidence in any civil or criminal proceeding. This section does not limit or restrict the right to discover or use in any civil or criminal proceeding anything that is available from another credible source and entirely independent of the proceedings of the team.

(b) Members of the Fatality and Mortality Review Team may not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a meeting of the team. This subsection does not prevent a member of the team from testifying to information obtained independently of the team which is public information.

(c) Proceedings, records, and opinions of the Fatality and Mortality Review Team are exempt from disclosure under the Freedom of Information Act as provided in §29B-1-1 *et seq*. of this code.

(d) Notwithstanding any other provisions to the contrary, the Fatality and Mortality Review Team may prepare a data compilation to be shared, on an annual basis or more often as needed, with the Centers for Disease Control and Prevention to study maternal mortality in an effort to reduce mortality rates. No individually identifiable records may be produced.

WV Legislature