

ENROLLED
Senate Bill No. 80
(BY MR. GALPERIN)

[Passed March 12, 1982; in effect ninety days from passage.]

AN ACT to amend article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twelve-a, relating to vital statistics; providing for examination of newborn infants for physical and mental impairments; requiring registration of such information and information of previously undiagnosed impairments in minors with state registrar; providing for form to be supplied by state registrar; providing for confidentiality of such information; and providing exceptions whenever parental consent is given.

Be it enacted by the Legislature of West Virginia:

That article five, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twelve-a, to read as follows:

ARTICLE 5. VITAL STATISTICS.

§16-5-12a. Registration of infants born with congenital physical and mental impairments; requiring physician or midwife to check for defects, including visual impairments; registration of minors with previously undiagnosed impairments; form to be provided by state registrar; confidentiality; exceptions; parental consent. *Law*

- 1 When a live birth occurs, the physician or midwife in
- 2 attendance at, or present immediately after, the birth shall
- 3 examine the infant for any congenital physical or mental. *Law*

4 impairment, including visual impairment. If any such im-
5 pairment is found in an infant, and/or if any such impair-
6 ment is found in any subsequent examination of any
7 minor which has not been previously diagnosed, the ex-
8 amining physician, midwife, or other health care provider
9 licensed under chapter thirty of the code shall within
10 thirty days of the examination make a report of the
11 diagnosis to the state registrar of vital statistics on forms
12 provided by the state registrar of vital statistics. The
13 report shall include the name of the child, the name or
14 names of the parents or parent or guardian and a de-
15 scription of the impairment.

16 The information received by the state registrar pur-
17 suant to this section pertaining to the identity of the
18 persons named shall be kept confidential: *Provided*, That
19 if consent of the parents, or if only one parent exists,
20 of the parent, or of the guardian is obtained, the registrar
21 may provide such information to the department of
22 health, the department of welfare, the department of
23 education and the division of vocational rehabilitation
24 and the school for the deaf and the blind so that such
25 information can be utilized to provide assistance or ser-
26 vices for the benefit of the child.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

R. P. Byler
Chairman Senate Committee

Joseph E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Todd C. Wilks
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

Warren R. McAraw
President of the Senate

John H. Seelye
Speaker House of Delegates

The within is approved this the 31
day of March, 1982.

John D. Dyer
Governor



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SECY. OF STATE