WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1982

ENROLLED

SENATE BILL NO. 80

(By Mr. Galpin)

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.

1 When a live birth occurs, the physician or midwife in attendance at, or present immediately after, the birth shall examine the infant for any congenital physical or mental
impairment, including visual impairment. If any such impair-
ment is found in an infant, and/or if any such impair-
ment is found in any subsequent examination of any
minor which has not been previously diagnosed, the ex-
amining physician, midwife, or other health care provider
licensed under chapter thirty of the code shall within
thirty days of the examination make a report of the
diagnosis to the state registrar of vital statistics on forms
provided by the state registrar of vital statistics. The
report shall include the name of the child, the name or
names of the parents or parent or guardian and a de-
scription of the impairment.

The information received by the state registrar pur-
suant to this section pertaining to the identity of the
persons named shall be kept confidential: Provided, That
if consent of the parents, or if only one parent exists,
of the parent, or of the guardian is obtained, the registrar
may provide such information to the department of
health, the department of welfare, the department of
education and the division of vocational rehabilitation
and the school for the deaf and the blind so that such
information can be utilized to provide assistance or ser-

vices for the benefit of the child.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

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

Governor