

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

### **Introduced**

## **House Bill 5031**

By Delegates Funkhouser, Anders, Ridenour,  
Masters, Horst, Linville, Phillips, Butler, Kimble, Miller,  
and Crouse

[Introduced February 02, 2026; referred to the  
Committee on the Judiciary]

1 A BILL to amend and reenact §61-12A-3 of the Code of West Virginia, 1931, as amended, relating  
2 to the Fatality and Mortality Review Team under the Department of Health; access to  
3 medical information in investigations; and including vaccination records in death  
4 investigations.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 12A. FATALITY AND MORTALITY REVIEW TEAM.**

**§61-12A-3. Access to information; other agencies of government required to cooperate.**

1 (a) Notwithstanding any other provision of this code to the contrary, the Fatality and  
2 Mortality Review Team may request information and records as necessary to carry out its  
3 responsibilities. Records and information that may be requested under this section include:

4 (1) Medical, dental, and mental health records, including vaccination records in death  
5 investigations;

6 (2) Substance abuse records to the extent allowed by federal law; and

7 (3) Information and records maintained by any state, county, and local government agency,  
8 except as provided in §61-12A-2(b) of this code.

9 (b) State, county, and local government agencies shall provide the Fatality and Mortality  
10 Review Team with any information requested in writing.

NOTE: The purpose of this bill is to allow the Fatality and Mortality Review Team under the Department of Health to access vaccination records in death investigations.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.