

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4666

**FISCAL
NOTE**

By Delegates Crouse, White, and T. Howell

[Introduced January 21, 2026; referred to the
Committee on Health and Human Resources then the
Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §61-12-17, relating to creating autopsy requirements for certain cases;
3 requiring medical examiners to check immunization records; creating reporting
4 requirements; and adding penalties for failure to follow this section.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12. POSTMORTEM EXAMINATIONS.

§61-12-17. Requiring medical examiners to check immunization status in unexpected deaths of persons under 20 years old; reporting requirements; penalties.

1 (a) Definitions. – The following words and terms when used in this section have the
2 meanings indicated:

3 "Sudden Arrhythmic Death Syndrome (SADS)" means the sudden and unexpected death
4 due to cardiac arrhythmia, as determined by performance of an autopsy or a clinical investigation,
5 of a young, apparently healthy individual with no previously diagnosed structural heart disease.

6 "Sudden Death in the Young (SDY)" means the sudden and unexpected death of an
7 individual younger than 20 years of age due to natural causes, including, but not limited to, sudden
8 cardiac death or sudden unexpected death in epilepsy, which death remains unexplained after
9 initial investigation.

10 "Sudden Infant Death Syndrome (SIDS)" means the sudden death of an infant younger
11 than 1 year of age which remains unexplained after a thorough case investigation, including
12 performance of an autopsy, scene investigations, and a review of clinical history.

13 "Sudden Unexpected Infant Death (SUID)" means the sudden and unexpected death of an
14 infant younger than 1 year of age, whether explained or unexplained, including, but not limited to,
15 death caused by SIDS, accidental suffocation, and other potential causes.

16 "Sudden Unexpected Infant Death (SUID) and Sudden Death in the Young (SDY) Case
17 Registry" means the national surveillance system coordinated by the Centers for Disease Control
18 and Prevention and the National Institutes of Health which collects standardized data on sudden

19 and unexpected deaths in individuals younger than 20 years of age.

20 (b) In the case of an infant or child who dies suddenly and unexpectedly, including cases of
21 SIDS, SUID, or SDY, the autopsy must include microscopic and toxicology studies and a review of
22 the child's immunization and medical records, as available through the West Virginia Statewide
23 Immunization Information System, from the child's pediatrician or primary care practitioner, or from
24 other sources. The medical examiner shall document in the autopsy report any immunizations or
25 emergency countermeasures administered to the child within 90 days before the child's death and
26 report the case to the SUID and SDY Case Registry in accordance with protocols established by
27 the Department of Health and the Centers for Disease Control and Prevention.

28 (c) In the case of a sudden death suspected to be caused by SADS in an individual of any
29 age, the autopsy must include microscopic and toxicology studies and a review of the individual's
30 immunization and medical records, as available through state health databases or other sources.
31 The medical examiner shall document in the autopsy report any immunizations or emergency
32 countermeasures administered to the individual within 90 days before his or her death and report
33 the case to the SUID and SDY Case Registry if the individual was younger than 20 years of age at
34 the time of death, in accordance with protocols established by the Department of Health and the
35 Centers for Disease Control and Prevention.

36 (d) The Department of Health shall impose the following administrative penalties against a
37 district medical examiner who fails to report a case of SIDS, SUID, SDY, or SADS, for individuals
38 younger than 20 years of age, to the SUID and SDY Case Registry within 30 days after completing
39 the autopsy report:

40 (1) For the first unreported case, a fine of up to \$1,000.

41 (2) For the second unreported case, a fine of up to \$5,000.

42 (3) For repeated noncompliance, referral to the appropriate licensing board for disciplinary
43 action, which may include suspension or removal.

44 (e) Compliance with the reporting and documentation requirements of this section is

45 deemed a permissible disclosure under state and federal medical privacy laws, including the

46 Health Insurance Portability and Accountability Act of 1996.

NOTE: The purpose of this bill is to require medical examiners to review medical and immunization records and document any immunizations or emergency countermeasures given within 90 days before their death of any person under age 20 who died unexpectedly and includes penalties for medical examiners who fail to comply with these requirements.

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