

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4915

**FISCAL
NOTE**

By Delegates Anders, Kimble, T. Howell, Mazzocchi,
and Dillon

[Introduced January 29, 2026; referred to the
Committee on Health and Human Resources then the
Judiciary]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article, designated §61-12C-1, §61-12C-2, §61-12C-3, §61-12C-4, §61-12C-5, §61-12C-6, §61-12C-7, and §61-12C-8, all relating to creating the Sudden Death Reporting and Transparency Act; providing legislative findings and purpose; defining terms; providing for medical examiners reports and submission to public health registries; creating confidentiality of data; providing rulemaking authority; and providing administrative fines.

Be it enacted by the Legislature of West Virginia:

ARTICLE 12C. SUDDEN DEATH REPORTING AND TRANSPARENCY ACT.

§61-12C-1. Short title.

This article shall be known and may be cited as the "Sudden Death Reporting and Vaccine Transparency Act."

§61-12C-2. Legislative findings and purpose..

The Legislature finds and declares that:

(1) Sudden Infant Death Syndrome (SIDS), Sudden Unexpected Infant Death (SUID), Sudden Death in the Young (SDY), and Sudden Arrhythmic Death Syndrome (SADS) are significant causes of mortality among infants, children, and young adults;

(2) Accurate and complete forensic investigation is essential to determining the cause and manner of death in these cases;

The collection of recent vaccination and emergency countermeasure history is necessary to ensure thorough and transparent death investigations;

West Virginia families have a right to full and accurate information regarding the circumstances surrounding sudden or unexplained deaths; and

Standardizing reporting practices will strengthen public health research and improve West Virginia's ability to detect and respond to emerging health issues.

The purpose of this article is to ensure comprehensive data collection in sudden death cases and to contribute to scientific understanding while safeguarding individual rights and

15 medical privacy.

§61-12C-3.

Definitions.

1 As used in this article:

2 (1) "Board" means the West Virginia Board of Medicine.

3 (2) "Chief Medical Examiner" means the Chief Medical Examiner of the State of West
4 Virginia, established under §61-12-3 of this code.

5 (3) "Emergency countermeasure" means any medical product, biological product, drug,
6 vaccine, or prophylactic authorized under federal emergency use authority, or administered in
7 response to an epidemic, pandemic, or declared public health emergency.

8 (4) "Medical examiner" includes the State Medical Examiner, county medical examiners,
9 and any individual legally authorized to conduct death investigations in the state.

10 (5) "Sudden or unexplained death" means:

11 (A) Sudden Infant Death Syndrome (SIDS);

12 (B) Sudden Unexpected Infant Death (SUID);

13 (C) Sudden Death in the Young (SDY);

14 (D) Sudden Arrhythmic Death Syndrome (SADS); or

15 (E) Any unexpected, unattended, or unexplained death of an individual under the age of
16 30.

17 (6) "Vaccination history" means all immunizations or inoculations, including date,
18 manufacturer, type, and administering provider, received within 90 days prior to death.

§61-12C-4. Reporting requirements for medical examiners.

1 (a) In every case of sudden or unexplained death, the medical examiner shall obtain and
2 document the decedent's vaccination history and any emergency countermeasures administered
3 within the preceding 90 days.

4 (b) The medical examiner shall make reasonable efforts to obtain such records from:

5 (1) Health care providers;

6 (2) Immunization information systems;

7 (3) Pharmacies;

8 (4) Hospitals or urgent care facilities;

9 (5) Parents or guardians, for minors; or

10 (6) Any other relevant source of medical information.

11 (c) The medical examiner shall record the vaccination and countermeasure history in the
12 official death investigation report and certify its completeness to the Chief Medical Examiner.

13 (d) This information shall be included in all autopsy reports, postmortem examinations,
14 and investigative summaries.

§61-12C-5. Submission to public health registries.

1 (a) The Chief Medical Examiner shall submit relevant case information, including
2 vaccination and countermeasure data, to the Centers for Disease Control and Prevention
3 SUID/SDY Case Registry or successor national database.

4 (b) Identifying medical information shall remain subject to all state and federal privacy
5 protections.

6 (c) Aggregate state-level data shall be made available annually to the Legislature and the
7 public in a manner that does not disclose personally identifiable information.

§61-12C-6. Confidentiality and permissible use of data.

1 (a) All medical records obtained under this article are confidential and may not be
2 disclosed except pursuant to state law, federal law, or court order.

3 (b) Data collected under this article may not be used to:

4 (1) Mandate vaccinations or emergency countermeasures;

5 (2) Alter an individual's medical eligibility for services; or

6 (3) Discriminate against any person.

7 (c) Data shall be used solely for:

8 (1) Forensic investigation;

(2) Public health surveillance;

(3) Scientific or medical research; and

(4) Annual legislative reporting.

§61-12C-7. Rulemaking authority.

(a) The Chief Medical Examiner shall propose rules legislative approval in accordance with the provisions of §29A-3-1 et seq. of this code providing:

(1) Standardized statewide procedures for documentation;

(2) Timelines for reporting;

(3) Procedures for record retrieval;

(4) Training requirements for medical examiners.

(b) The Chief Medical Examiner may promulgate emergency rules pursuant to the provisions of §29A-3-15 of this code.

(b) Rules shall be consistent with the purpose and intent of this article.

§61-12C-8. Penalties.

(a) A medical examiner who knowingly or negligently fails to comply with the requirements of this article is subject to:

(1) An administrative fine not to exceed \$1,000 per violation;

(2) Mandatory corrective training; and

(3) Referral to the appropriate licensing board for disciplinary review in cases of willful or repeated violations.

(b) The Chief Medical Examiner shall investigate all complaints of noncompliance.

NOTE: The purpose of this bill is to create the "Sudden Death Reporting and Vaccine Transparency Act." It charges the Chief Medical Examiner with investigating all sudden or unexplained deaths, which are defined as Sudden Infant Death Syndrome (SIDS), Sudden Unexpected Infant Death (SUID); Sudden Death in the Young (SDY); Sudden Arrhythmic Death Syndrome (SADS); or Any unexpected, unattended, or unexplained death of an individual under the age of 30.

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