

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

House Bill 3199

By Delegates Summers and Ellington

[Introduced February 02, 2023; Referred to the
Committee on Health and Human Resources]

1 A BILL to amend and reenact §16-5-22 of the Code of West Virginia, 1931, as amended, relating to
2 removing the requirement that an ectopic pregnancy be reported.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. VITAL STATISTICS.

§16-5-22. Reports of abortions.

1 (a) Each abortion, as defined in §16-2R-2 of this code, which occurs in this state, shall be
2 reported to the section of vital registration no later than the 10th day of the month following the
3 month the procedure was performed by the person in charge of the hospital in which the abortion
4 was performed. The State Registrar shall prepare a form or provide a suitable electronic process
5 for the transmission of the reports from the institution or physician to the section of vital
6 registration. Information to be collected shall include:

- 7 (1) The gestational age of the fetus;
- 8 (2) The state and county of residence of the patient;
- 9 (3) The age of the patient;
- 10 (4) The type of medical or surgical procedure performed;
- 11 (5) The method of payment for the procedure;
- 12 (6) Whether birth defects were known, and if so, what birth defects;
- 13 (7) The date the abortion was performed;
- 14 (8) The exception contained in §16-2R-3 of this code under which the abortion was
15 performed; and

16 (9) Related information as required by the commissioner, other applicable sections of this
17 code, or by the legislative rule: *Provided, That:*

18 (A) No personal identifiers, including, but not limited to, name, street address, city, zip
19 code, or social security number, will be collected; and

20 (B) Individual records may only be released for research purposes as approved by the
21 state Registrar and may be released in a format designed to further protect the confidentiality of
22 the woman as the state Registrar deems necessary.

23 (b) An analysis of the compiled information relating to induced terminations of pregnancy
24 shall be included in the annual report of vital statistics.

25 (c) An electronic report of the compiled information under this section shall be provided to
26 the licensing boards of the licensed medical professionals, as defined in §16-2R-2 of this code,
27 and the Legislative Oversight Commission on Health and Human Resources Accountability on a
28 quarterly basis.

29 (d) The provisions of this section do not apply to an termination of an ectopic pregnancy.

NOTE: The purpose of this bill is to not require a report for the termination of ectopic pregnancy.

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