

DATE: May 15, 1981

TO: Mary J. Lopez  
Rules and Regulations  
Secretary of State's Office

FROM: Curtis G. Power *C.G.P.*  
Assistant Attorney General, Dept. of Health

SUBJECT: Departmental Rules and Regulations

# MEMORANDUM



STATE OF WEST VIRGINIA  
**DEPT. OF HEALTH**

As you had requested some time ago, enclosed is an index of Department of Health rules and regulations. In addition, the following rules and regulations have been promulgated since the last publication by the Michie Company:

Regulations for the Review of Indeterminate Commitments

Mental Health Licensing Regulations

Rules and Regulations for Licensing of Nursing Homes

Regulations--Certificate of Need

Rules and Regulations for Licensing of Personal Care Homes

Rules and Regulations--Instructors in Barbering and Beauty Culture

Rules of Procedure for Contested Case Hearings

Rules and Regulations of the West Virginia Office of Emergency Medical Services

Law Governing the Practice of Barbering and Beauty Culture

CGP:s

Enclosure

CHAPTER 3.  
VITAL STATISTICS.

## Article

1. Registration Districts.
2. Local Registration Officers, §§ 2.1-2.4.
3. Supplies and Forms, §§ 3.1-3.3.
4. Certificate Forms and Reports, §§ 4.1-4.2.
5. Correction and Amendment, §§ 5.1-5.8
6. New Certificates of Birth Following Adoption, Legitimation and Paternity Determination, §§ 6.1-6.4.
7. Delayed Birth Registration, §§ 7.1-7.7.
8. Procedures for Filing Death Certificates, §§ 8.1-8.5.
9. Permits Governing the Disposal or Transportation of Dead Human Bodies, §§ 9.1-9.8.
10. Disclosure of Data; Certified Copies, §§ 10.1-10.3.

ARTICLE 1.  
REGISTRATION DISTRICTS.

The State is hereby divided into registration districts as follows: Each county shall constitute a primary registration district for births, deaths, fetal deaths, marriages, and divorces and annulments of marriage. When deemed in the best interests of registration, the State Board of Health may establish State Hospitals or other public institutions as special registration districts.

## CHAPTER 3. VITAL STATISTICS.

### ARTICLE 5. CORRECTION AND AMENDMENT.

Sec.

- 5.1. Application.
- 5.4. Change of given names.
- 5.6. Legal change of name.

#### SEC. 5.1. APPLICATION.

(a) To correct or amend a birth certificate, application shall be made by one of the parents, the guardian or the legal representative of the child, or, if the person whose certificate is involved is of legal age or over, by the person himself.

(b) To correct or amend a report of fetal death, application shall be made by one of the parents, or, for items of a medical nature, by the physician, the coroner, the medical examiner, or the local health officer.

(c) To correct or amend a death certificate, application shall be made by the surviving spouse, the next of kin or the funeral director. Corrections or amendments to the medical certification of cause of death shall be requested by the attending physician, the medical examiner, the coroner, or the local health officer. The funeral director shall request any amendments to the date, place and method of disposal.

(d) To correct or amend reports of marriage or divorce, a certification must be received from the county clerk or clerk of circuit court maintaining the permanent record from which the report was prepared stating that such record has been amended.

(e) Within the first 60 days after the filing of a certificate, the State Registrar may obtain missing or corrected data by personal call, telephone or query form from the reporting source responsible for filing the certificate. Information so obtained by the State Registrar shall not be deemed an amendment or correction.

#### SEC. 5.4. CHANGE OF GIVEN NAMES.

Until the registrant's first birthday, given names may be added or changed upon written request of both parents; or of the mother in the case of a child born out of wedlock or the death or incapacity of the father; or of the father in the case of the incapacity or death of the mother; or of the guardian in the case of the death or incapacity of both parents. This procedure may be employed to change a given name only once. However, until the registrant's seventh birthday the given name, for a child whose birth was reported without a given