

# **VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM**

## **BOARD MEETING**

### **MINUTES**

February 10, 2004

### **MEMBERS PRESENT**

Melina Dee Perdue, Chair  
James Ritchie  
Richard Cathey  
McLain O'Ferrall  
Willette LeHew, M.D.

### **ALSO PRESENT**

George Deebo, Executive Director  
Sharon Payne, Deputy Director  
Ginny Tweel, RN, Case Manager  
Heather Brunner, Administrative Assistant  
Mark Johnson  
Terri & Jim Kaelin  
Mr. Sparrow  
Jill Ryan, Office of the Attorney General

### **CALL TO ORDER**

Board Chair, Melina Perdue, called the meeting to order at 1:00 p.m. and introductions were made.

### **APPROVAL OF MINUTES**

The December 9, 2003 minutes were reviewed. Dr. LeHew made a motion to approve the minutes. Jim Ritchie seconded the motion and the minutes were unanimously approved.

### **ADMINISTRATIVE**

Financial statements, profit and loss and balance sheets for December 2003 and January 2004 were provided to the Board. The Board reviewed the financial reports. Sharon Payne noted that reconciliation for 2003 is ongoing.

Jim Ritchie made a motion to accept and enter into record the December 2003 & January 2004 financial report. Richard Cathey seconded the motion and it was unanimously approved.

### **PUBLIC COMMENT**

There were no public comments.

### **CLOSED SESSION**

James Ritchie moved that the meeting convene in a closed session to discuss claimant issues pursuant to the exemption at 2.2-3705. (This references 38.2-5002.2) Richard Cathey seconded the motion and the Board unanimously agreed.

James Ritchie made a motion that the Board certify the closed session, to the best of each member's knowledge, discussed only public business matters lawfully exempted and only such matters as were identified in the motion that closed the meeting. McLain O'Ferrall seconded the motion. The motion was polled and unanimously agreed.

### **RESULTS FROM THE CLOSED SESSION**

McLain O'Ferrall made a motion that the Program would pay overtime for one specific nurse who is employed by Carilion for eight hours per week to care for, [REDACTED]. Jim Ritchie seconded the motion. Melina Perdue recused herself from voting citing conflict of interest. With all others in favor, the motion passed.

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### **RESULTS FROM THE CLOSED SESSION**

Jim Ritchie made a motion that the Program offer to sell the trust home to the [REDACTED] for \$625,000. The price was agreed based on an appraisal of \$700,000 less \$50,000 (7% real estate fee), less 20,000 in repairs and improvements, less \$5,000 in paid rent. Richard Cathey seconded the motion and it was unanimously agreed.

James Ritchie made a motion that the Program staff proceed with asking for a third party review for medical necessity of an outdoor whirlpool and equipment installation for [REDACTED] aquatic occupational therapy (in lieu of therapy [REDACTED] currently attends at the Therapy Works for Kids in Suffolk, VA) and two additional estimates for cost. Dr. LeHew seconded the motion and it was unanimously agreed.

Richard Cathey made a motion that the Program continue to pay for private karate classes as therapy for [REDACTED] for one year. The Board will review this request annually and has requested an annual update from the [REDACTED].

Dr. LeHew made a motion to deny the [REDACTED]'s request for the Program to reimburse the difference between the FEMA award and the cost of a generator for [REDACTED]. Melina Perdue seconded the motion and it was unanimously agreed.

**EXECUTIVE DIRECTOR'S REPORT**

George Deebo introduced Ginny Tweel, Case Manager to the Board. George also highlighted 3 bills which will be in front of the General Assembly this session.

**OTHER BUSINESS**

McLain O'Ferrall asked that the Programs investment policies and procedures be added to the agenda in March.

**ADJOURNMENT**

A motion was made to adjourn; the motion was seconded and unanimously agreed. At 3:45 p.m. the meeting was adjourned.