

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

## **BOARD MEETING**

August 10, 2004

### **MEMBERS PRESENT**

McLain O’Ferrall  
Willette LeHew, M.D.  
Ralph Shelman  
Edward Mazur, CPA  
Jenny Ogburn

### **ALSO PRESENT**

George Deebo, Executive Director  
Sharon Payne, Deputy Director  
Jessica Stuart, Claims Coordinator  
Frank Ferguson, Office of the Attorney General

### **CALL TO ORDER**

Acting Board Chair, Bill LeHew, called the meeting to order at 1:20 p.m. and introductions were made.

### **APPROVAL OF MINUTES**

The July 10, 2004 minutes were reviewed. Laine O’Ferrall made a motion to approve the minutes. Ralph Shelman seconded the motion and the minutes were unanimously approved.

### **ADMINISTRATIVE**

Financial statements, profit and loss sheets, for July 2004 were provided to the Board. The Board reviewed the financial report. It was moved and seconded to accept and enter into record the July 2004 financial report. It was unanimously approved.

Ed Mazur presented his interest in establishing a finance committee to review several aspects of the Program including the audit actuarial reports and the procedures used to produce those report. Following discussion it was moved by Laine O’Ferrall to establish a financial committee led by Ed Mazur and that he would talk with other Board members about who should participate. The motion was seconded by Ed Mazur and passed unanimously.

Laine O’Ferrall provided and explained a sample draft Request for Proposals for a Financial Investment Consultant. The consultant would advise the Board regarding how to achieve investment goals.

After review and discussion of the RFP, McLaine O’Ferrall moved the Board issue a request for obtaining professional Financial Investment Consultant Services. Ralph Shelman seconded the motion and voting was unanimous. The executive director will work with Frank Ferguson of the Office of the Attorney General to finalize, distribute and publish the RFP by September 1, 20004. Responses to the RFP should be returned to the Program by the end of September 2004.

Jessica Stuart provided a chart of current pending cases for entry into the Birth Injury Program. A discussion on entry requirements and conditions ensued with several questions answered by Frank Ferguson and George Deebo.

#### **PUBLIC COMMENT**

There was no public comment.

#### **CLOSED SESSION**

Jennifer Ogburn 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) The motion was seconded and the Board unanimously agreed.

Jennifer Ogburn 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. Ralph Shelman seconded the motion. The motion was polled and unanimously agreed.

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

Laine O’Ferrall moved to amend the Board’s original motion from February 10, 20004 regarding the granting of an outdoor whirlpool for use in therapy for ██████████ to also allow regular aqua therapy. Ralph Shelman seconded the motion and it was passed unanimously.

#### **OTHER BUSINESS**

George Deebo reported that he is still awaiting the requested clarification on parts of the D & O Insurance proposal and will get back with the Board as soon as the information is received.

The Board discussed a number of legislative possibilities for the upcoming General Assembly Session. Dr. LeHew suggested George Deebo prepare a list of issues and present to the Board.

**ADJOURNMENT**

There being no other business, a motion was made to adjourn; the motion was seconded and unanimously agreed. The meeting was adjourned.