

**Virginia Birth Injury Fund
Board of Directors' Meeting
February 8, 2005**

Attendees:

Lynn Chapman
McLain O'Ferrall
Willette LeHew, MD.
Ralph Shelman
Jennifer Ogburn
Ed Mazur, CPA

Also Present:

George Deebo, Executive Director
Jessica Stuart, Claims Manager
Candace Thomas, Deputy Director
Frank Ferguson, Office of the Attorney General
Bill McKelway, Richmond Times Dispatch

Call to Order:

The meeting was called to order by Vice-Chair Bill LeHew at 1:00 p m.

Minutes:

It was moved and seconded that the January Board meeting minutes be approved. Motion carried.

Finance:

Candace Thomas reviewed the Profit & Loss Sheet. An update also was given on the Finance and Audit Committee. Report accepted as given.

Investment Committee:

Laine O'Ferrall reviewed the process and upcoming steps in working with the new investment consultant, CapGroup. Included in the process will be development of a new investment policy and the selection of money managers. Frank Ferguson was consulted for clarification purposes on procurement process regarding money managers.

Public Comments:

Bill McKelway requested clarification regarding the purpose of legislation for birth weight (HB 1505 & SB 1323). He also requested clarification regarding housing in relation to the use of mobile homes. Information on both was related to him.

Legislative Update:

George Deebo reviewed the status of several pieces of legislation involving the Birth-Injury Program that are currently being considered by the General Assembly. They include HB 1505, SB 1323 and HJ 646. All the bills are in various stages of progressing through the legislature.

Closed Session Regarding Claimant Issues:

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 unanimously passed.

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. The motion was seconded and unanimously passed.

Results of Closed Session:

Ralph Shelman motioned that the request from Mrs. [REDACTED] to provide additional auto insurance funding be denied. The motion was seconded and passed unanimously.

Ralph Shelman requested that the in near future the Program review the reasons for the current policy of paying up to \$500 per year towards auto insurance for claimants with a Program supplied van. The request was approved by common consent.

Closed Session Regarding Legal Advice:

Jennifer Ogburn moved that the meeting convene in a closed session to obtain advice from counsel pursuant to the exemption at 2.2-3705 (this references 38.2-5002.2). The motion was seconded and unanimously passed.

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. The motion was seconded and unanimously passed.

Miscellaneous:

George Deebo updated the Board on the development of a policy for the use of seizure alert dogs. Unfortunately there is limited literature on this subject and very little medical/scientific study on seizure dogs to verify medical usefulness. Following discussion the Board recommended allowing an amount for the initial costs of obtaining such a dog but not for ongoing costs. The staff will come back with a draft policy for approval.

Meeting adjourned at 4:00 pm.