

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

Attendees:

Melina Perdue
Lynn Chapman
McLain O'Ferrall
Ralph Shelman
Ed Mazur, CPA

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Scott Fitzgerald, Office of the Attorney General
Bill McKelway, Richmond Times-Dispatch
Jim Rorrer, CapGroup
Ann Jones, Jones & Rostant
Donna Rostant, Jones & Rostant

Call to Order:

Melina Perdue called the meeting to order at 1:00 p m.

Minutes:

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

Finance:

Candace Thomas reviewed the Profit & Loss Sheet. Ed Mazur reported that the Finance and Audit committee met with David Bolton of Cherry, Bekhaert and Holland prior to the board meeting and reviewed the final draft of the restated 2003 audit. No major dollar values shifted however other aspects, including a management discussion and analysis statement will be valuable to the Program in presenting its situation.

The Finance and Audit Committee will meet with the auditors and Program staff in the near future to discuss the upcoming 2004 audit process.

Investment Committee:

Laine O'Ferrall reported and noted the draft Investment Policy Statement that was sent to all Board members. A discussion ensued regarding the general parameters in the policy. Jim Rorrer of CapGroup Consultants was available to answer specific questions. Per legislative guidelines, a copy has been sent to the Virginia Retirement System for review.

An RFP process to select a money custodian is underway with replies due March 25, 2005. A selection should be made by mid April.

Mr. O’Ferrall moved that the Board of Directors approve the draft Investment Policy Statement subject to any comments or concerns to be expressed by the Virginia Retirement System. Mr. Shelman seconded the motion and it passed unanimously.

Legislative Update:

George Deebo reviewed the final outcome of Program legislative efforts. The Governor is expected to sign HJ 646 passed by both House and Senate. Under the direction of the Finance committee and staff, a planning meeting will soon be arranged to set the direction of the study as prescribed by HJ646.

A conference committee version of HB 1505 and SB 1323 (they came out identical) passed both the Senate and House.

During the discussions Board members expressed a desire to hold a legislative planning day to allow for more time on key issues. Program staff will work on arrangements.

Public Comments:

Bill McKelway requested clarification on the number of physicians and hospitals currently participating in the Program. He also asked whether the Program conducts a lifetime cost analysis for each child. The Program does not.

Ann Jones added comments regarding such an analysis process.

Closed Session Regarding Claimant Issues:

Ed Mazur 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.

Ed Mazur 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:

Lynne Chapman motioned that the request from Mr. & Mrs. [REDACTED] provide additional housing funding because the cost of the house they wish to purchase has increased in price be denied. The motion was seconded by Ed Mazur and passed unanimously.

The Board noted that although they empathize with the family the request was outside the parameters of the Program’s Guidelines and allowances for housing. The Program will provide all available assistance to the family as usual and per the Guidelines.

New Business

Ed Mazur presented recommendations by an ad hoc committee composed himself, Lynn Chapman, Ralph Shelman and Candace Thomas. The recommendations were in response to discussions held at the Northern Virginia regional meeting last fall. The Program will review the recommendations for further discussion at the May Board meeting.

Miscellaneous:

George Deebo noted that staff is continuing to research the issue of seizure alert dogs. He also stated a letter to families on various issues including staffing and payment procedures will be sent out within a few days. With the departure of the Claims Manager, a replacement is being recruited and interviews have already been held.

Meeting adjourned at 4:00 pm.