

**Virginia Birth Injury Program
Board of Director's Meeting
Sheraton West Hotel, Richmond, Virginia
July 12, 2005**

Attendees:

Melina Dee Perdue, Chair
Bill LeHew, MD, Vice-Chair
Lynn Chapman
Edward Mazur
McLain O'Ferrall
Jennifer Ogburn
Ralph Shelman

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Iris Allen, Claims Manager
Angela Conley, Executive Assistant
Frank Ferguson, Deputy AG, AG Office
Jill Ryan, AG Office
Bill McKelway, Richmond Times Dispatch

Special Guests:

Larry Tarr, WCC Commissioner
John Seeds, MD, Chair, OB/GYN Dept, VCU
Gary Burke, Funding Study Coordinator

Call to Order:

Melina Dee Perdue, Chair, called the educational meeting to order at 10:00 a.m. to begin this special meeting of Legislative Education and Planning Session at the Sheraton Richmond West Hotel.

Ed Mazur commented that staff did a good job on the notebooks supplied to the board members. Melina Dee Perdue also commented on the 2004 Annual Review that it looked good.

SPECIAL PRESENTATIONS:

- Jill Ryan, Assistant Attorney General, Office of Attorney General: Mrs. Ryan gave an overview of how claimants petition the fund through the Worker's Compensation Commission.
- Larry Tarr, Worker's Compensation Commissioner: Mr. Tarr presented an overview of the Worker's Compensation Commission including creation of the commission, how hearings are conducted in accordance with Code 38.2-5000-38.2-5021, formation of

panels and how the panel opinions are viewed by the WCC in order to make a sound judgment for the claimant in question.

- John Seeds, MD, Chair, Department of OB/GYN at Virginia Commonwealth University: Dr. Seeds commented on the problems with pre-maturity due to genetics, care and issues within the mother's body. Dr. Seeds is a member of the Opinion Panel.
- Gary Burke – Funding Project: Mr. Burke gave an overview and status report as to what was required for the HJR 646 Study.

The regularly monthly business meeting was called to order at 2:00 p.m.

Minutes:

A motion was made to approve the June minutes. Motion carried unanimously.

Finance:

Candace Thomas reviewed the Balance Sheet, Profit and Loss, and Profit and highlighted changes made by the auditors for the year ending 2004 that had affected the Balance Sheet .

A motion was made to approve the May financial statements. Motion carried unanimously.

Finance Committee:

Ed Mazur announced to the board that the financial statements would be coming out later than scheduled but he hoped that the statements would be available by the end of July.

Investment Committee:

Laine O'Ferrall stated that he had met with VRS.

Laine O'Ferrall motioned that the Board give the Investment Committee discriminatory authority to invest up to 100% of funds into Index Funds with any changes being reported to the Board immediately. Motion carried unanimously.

Continued Business:

Ed Mazur to discuss the Ad Hoc amended document at the August board meeting.

Public Comment:

No comments

Closed Session Regarding Claimant Issues:

Melina Dee Perdue, Chair, 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 by Ralph Shelman and unanimously passed.

Melina Dee Perdue made a motion that the Board certifies 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:

Follow-up to the request of Ms. [REDACTED] for the Board to increase the amount approved for providing a handicapped equipped bedroom and bath for her home

The board declined to take any action. The staff was requested to follow-up with [REDACTED] to see what actions she has taken.

Mr. and Mrs. [REDACTED] would like the program to waive the \$175,000 maximum for lifetime housing costs since their proposed addition has now escalated to about \$185,000. They believe they should be grandfathered in since the estimation of the project was started prior to the current limit.

Ed Mazur motioned that the guidelines be followed allowing the current amount \$175,000 to be granted to the family for their house addition. Motion passed unanimously.

Adjournment:

A motion to adjourn was made by Melina Dee Perdue, Chair, seconded and unanimously agreed to at 3:00 p.m.