

**Virginia Birth-Related Neurological Injury Compensation Program  
Board of Director's Meeting  
Minutes for September 7, 2006**

**Attendees:**

Melina Dee Perdue, RN, MBA, CNA, Chairperson  
Susan Lucas, MD, Ph.D.  
Edward Mazur, CPA  
Jennifer Ogburn  
Ralph Shelman

**Also Present:**

George Deebo, Executive Director  
Candace Thomas, Deputy Director  
Angela Conley, Executive Assistant  
Iris Allen, Claims Manager  
Carla Collins, Assistant Attorney General, OAG  
Bill McKelway, Richmond Times Dispatch

Cindy and Mark Richards, Richmond Hope Therapy Center  
Mark Ames, Family Participant

**Call to Order:**

Melina Perdue, Chairperson, called the meeting to order at 1:10pm.

**Minutes:**

Edward Mazur motioned to accept the July Board minutes. Susan Lucas seconded the motion and it passed unanimously.

**Finance:**

Candace Thomas reviewed the financial highlights that included Balance Sheet, Profit and Loss Report. A motion was made to approve the August financial statements. Motion carried unanimously.

**Legislative Update:**

George Deebo stated that legislative facilitators, Mark Reuben and Barbara Hulbert, met with the families on August 30<sup>th</sup>. The facilitators meet with Board members today in an earlier meeting. A meeting has been scheduled for September 20<sup>th</sup> to meet with the insurance groups. Mr. Reuben and Mrs. Hulbert will meet with all stakeholders in October.

**Conference Call:**

Lynn Chapman, Jennifer Ogburn, Ralph Shelman, George Deebo and Candace Thomas participated in the first scheduled conference call on Friday, August 25<sup>th</sup>, 2006 from 12:00pm to 1:00pm with various family participants. The conference calls will be held quarterly. The families will be notified in writing of the conference call date at least two weeks prior to the call to provide opportunity to participate. Ralph Shelman noted that the families seemed happy with the level of support and participation from the Board members present. A copy of the notes taken during the conference call will be disbursed to family members, Board members and posted on the Program's website. The next scheduled conference call will tentatively be set for late November or early December.

**Public Comment:**

Bill McKelway, Richmond Times Dispatch, asked at the end of the quarter, would the investment committee be able to show what the net profit/loss in the Program's investment was? Also, how much money was going to the investment accounts?

Bill McKelway asked if the Program had contacted families regarding HB632. George Deebo stated that there were possibly 17 families that meet the criteria for HB632 and that the Program may undertake notification. However, there are many difficulties in doing so. Ralph Shelman asked Bill McKelway to write an article seeking these 17 families. George Deebo and Edward Mazur stated that it was not the responsibility of the Program to locate the families, especially if their information with the WCC was not accurate.

Bill McKelway asked if the Program had contacted insurance companies to have their doctors and/or hospitals push the Program's information/material to all patients? Melina Dee Perdue stated that the Program has contacted the insurance companies, however, it is not the responsibility of the Program to instruct doctors and/or hospitals on what to do or when to hand out the Program's materials.

Bill McKelway asked if it was the Board's position to increase the participating physician and hospital fees in 2007? Melina Dee Perdue, Chairperson, and Edward Mazur both stated that until the facilitators could meet with everyone and review all suggestions/options, it would be premature to answer the question. Edward Mazur also stressed that the Board was doing what the General Assembly had asked the Program to do.

**Special Presentation:**

Cindy Richards, President, Richmond Hope Therapy Center, presented an overview of intensive therapy available through her organization. She presented background information on her programs along with before and after results of the therapy. She also included medical articles that showed the results of this therapy with children of cerebral palsy. Mark Ames, family participant, stated that his son, Stefan, had similar therapy out of state and was very pleased with the results. Mr. Ames supported the efforts of the Richmond Hope Therapy Center and hoped to see his son in Mrs. Richards' program.

**Finance Committee:**

No report for the September Board meeting.

**Investment Committee:**

No report for the September Board meeting.

**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 and unanimously passed.

Melina Dee Perdue 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 it passed unanimously.

**Results of Closed Session:**

Edward Mazur motioned to table the ██████ request for intense therapy pending receipt of additional documentation regarding the benefit of the therapy. Ralph Shelman seconded the motion and it passed unanimously.

Edward Mazur motioned for the Board to deny ██████████ claim of additional housing assistance for her son, because it exceeds the Program's allowable benefit for home modification. Susan Lucas seconded the motion and it passed unanimously.

Edward Mazur motioned to deny request of ██████ family to increase nurses' wages due to current nursing wages exceeding benchmark used by Virginia Employment Commission. The motion was seconded and it passed unanimously.

**Closed Session Regarding Legal Advice:**

Melina Dee Perdue, Chair, moved that the meeting convene in a closed session to discuss legal issues pursuant to the exemption at 2.2-3705 (this references §38.2-5002.2). Edward Mazur seconded and it passed unanimously.

Melina Dee Perdue 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 it passed unanimously.

**Other:**

Lain O'Ferrall had requested that the Board review information on the Florida program. Due to Lain O'Ferrall's absence, Board members decided to defer the discussion until October Board meeting.

George Deebo, Executive Director, wanted to remind everyone that the October Board meeting/training session would be held at the Sheraton Richmond West Hotel beginning at 10:00 a.m. Topics of discussion would be FOIA requests, investment information presented by Jim Rorrer with CapGroup, and other issues deemed appropriate.

**Other (Continued):**

The 2006 Annual Actuarial Report was handed out to the present Board members. Edward Mazur asked Board members to review the report and to bring any questions, comments or concerns to the October Board meeting.

**Adjournment:**

A motion to adjourn was made by Melina Dee Perdue, Chair, and unanimously agreed to at 3:25 p.m.