

VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM

MINUTES OF BOARD OF DIRECTORS MEETING TUESDAY MAY 13, 2003

Following notice, a meeting of the Board of Directors of the Virginia Birth-Related Neurological Injury Compensation Program was held on Tuesday, May 13, 2003, at the headquarters of the Birth-Related Injury Program.

The following members were present:

Cynthia Berry, Esq.
Richard Cathey
John R. Partridge, MD
James Ritchie
Anderson J. Williams, MD

Others in attendance:

George Deebo, Executive Director
Sharon Payne, Deputy Director
Tracy Hobson, Executive Assistant
Marshall Cook, Hirschler Fleischer, PC
John A. Blazer, PC
[REDACTED]
Bill McElway, Richmond Times Dispatch

A quorum was noted and the meeting was called to order.

[REDACTED] addressed Board and others in attendance with his housing issue. His son, [REDACTED] was a participant in the program, but died in December 2001. He wishes to stay in the home that was built for [REDACTED] and asks that the Board consider options in allowing him to purchase the home.

The Board thanked [REDACTED] for his attendance and request. He was advised the Board will discuss his request and contact him soon.

1. Minutes

The minutes of the April 8, 2003 meeting were reviewed and accepted unanimously.

2. Administrative Issues

The financial reports were reviewed and unanimously accepted.

Legislative report:

Marshall Cook to perform a 1-2 hour seminar educating the Board and staff of the changes in legislation that concern the Program. Agreed to conference call on Monday, June 2, 2003 @ 5:30 p.m. Mr. Deebo will set up conference calls and Marshall will send related literature to all parties one-week prior. Prior meeting that was scheduled for Monday, May 12, 2003 was cancelled due to the fact that only three members of the board were available for the conference call. No quorum.

Van Agreement:

Policy was reviewed and accepted.

Board chair requested that Mr. McElway leave the meeting to allow discussion of claimant issues. He complied.

3. Claimant Issues

██████████ – **Housing:**

██████████ wants the program to provide an addition to her home.

Board's Response:

Board is willing to make renovations allowed by current policy. However, due to safety and practicality concerns with building onto ██████████ mobile home, as advised by building consultant, at this time there are some doubts about moving ahead. The board recommends that ██████████ wait until new policies are in place before making a decision. If she is not willing to wait, the board will apply present policy.

So moved by Dr. John Partridge, seconded by James Ritchie. Motion passed.

██████████ – **Van**

Requesting reimbursement of the amount paid and owed on an accessible 2001 Dodge Caravan Sport that the family purchased for ██████████.

Board's Response:

Respectfully decline her request due to a full benefit having already been received by the [REDACTED]. Unanimous decision.

[REDACTED] – Power options – Vans.

Requesting reimbursement for power package on their accessible Dodge Caravan.

Boards Response:

Motion made by James Ritchie to deny request. Seconded by Cynthia Berry.
Motion passed.

[REDACTED] – Caregiver

Request made to make an exception to the rule of not paying family members to give care and allow family to compensate [REDACTED] as [REDACTED] caregiver.

Board's Response:

Motion made by Richard Cathey to deny request based on policy. Seconded by Dr. John Partridge. Motion passed.

[REDACTED] – Housing

Request to give [REDACTED] the cash grant housing benefit.

Board's Response:

Claimant is not eligible for requested benefit, which was discontinued prior to claimant's entry into the Program. The board recommends that the family await new policies and explore possibilities under those policies, which will include a rental housing benefit. Unanimous decision.

[REDACTED] – Nursing

Request to allow nurse to accompany [REDACTED] on a family trip to New Hampshire and pay her for \$12/hour for up to 12 hours a day for the 16 days of the trip, pay for nurse's hotel accommodations and a car top carrier.

Boards Response:

Motion made by Dr. John Partridge to decline all three requests, seconded by Richard Cathey. Signal that we will continue to provide nursing that is currently prescribed by physician's instructions.

██████ – Housing

Request to allow family to stay in home. Child that was participating in the program died in December 2001.

Board's Response:

Motion made by James Ritchie for Board to ask our attorney and staff of the Fund to research facts in this case in order to put Board in position to make best possible decision. Bring back recommendations during teleconference meeting on 6/2/03 so that Board can make an informed decision. Seconded by Dr. Partridge. Unanimous decision.

4. Executive Director's Report

George Deebo addressed the Board with a report on the events currently taking place with the Virginia Birth Injury Fund (outline attached)

No further business was introduced and the meeting was adjourned.