

# **VIRGINIA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION PROGRAM**

## **MINUTES OF BOARD OF DIRECTORS MEETING TUESDAY AUGUST 12, 2003**

Following notice, a meeting of the Board of Directors of the Virginia Birth-Related Neurological Injury Compensation Program was held on Tuesday, August 12, 2003, at the headquarters of the Birth-Related Injury Program.

The following members were present:

Melina Dee Perdue  
Richard Cathey  
James Ritchie  
Ralph Sheldon  
McLain O'Ferrall, Jr.  
Willette LeHew

Others in attendance:

George Deebo, Executive Director  
Sharon Payne, Deputy Director  
Tracy Hobson, Executive Assistant  
Marshall Cook, Hirschler Fleischer, PC  
Frank Ferguson, Attorney General's Office  
[REDACTED]

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

Introductions of the new board members.

Open floor to [REDACTED] for nursing issue.

### **1. Minutes**

The minutes of the June 10, 2003 meeting were reviewed and accepted unanimously.

### **2. Administrative Issues**

The financial reports were reviewed. James Ritchie moved to accept and enter into records financial statements submitted. Unanimously accepted.

Public Comment:

Mr. Deebo inquired as to whether or not there was any public comment, there was none.

Legislative report:

Mr. Deebo indicated that he has found a consultant that will perform a participating provider fee study on behalf of the program.

FOIA request that was submitted by Bill McKelway has been delayed until the end of this month. Mr. McKelway will be making changes to his request.

Melina Perdue made motion to move that the Birth-Injury Program convene in closed session to discuss nursing issues for claimants [REDACTED], and housing issues for claimants [REDACTED] pursuant to the exemption at 2.2-3705. (This references 38.2-5002.2)

So moved by James Ritchie. Second by Willette LeHew. Unanimously agreed.

Adjourn to closed session.

Claimant issues discussed.

Melina Perdue made motion to move that the Birth-Injury Board certify that the preceding 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. So moved by Jim Ritchie. Unanimously agreed.

### **3. Claimant Issues**

**[REDACTED] – Nursing:**

Board's Response:

Motion made by Willette LeHew that Program does not provide compensation for 403 hours of uncovered nursing services by Agency. Second by Ralph Sheldon. Unanimously accepted.

██████ – **Housing**

Board's Response:

Motion made by McLain O'Ferrall to only sell this house or any other house in future at least at fair market value as laid out in the occupancy agreement. Reject offer of \$475,000.00 and proceed with process in occupancy agreement. Second by Willette LeHew. Unanimously accepted.

██████ – **Housing**

Board's Response:

Motion made by Ralph Sheldon to pay lesser of two expenses of providing housing benefits of bedroom and bath or purchase of double wide trailer to provide the necessary accommodations for the child. Unanimously accepted.

██████ – **Nursing**

Board's Response:

James Ritchie made motion to deny request for compensation for missing work or giving up potential hours at work to give care to granddaughter. Second by Mr. Sheldon. Unanimously accepted.

**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)

FOIA Agenda presented to new board members. Melina Perdue extends a warm welcome to new board members on behalf of the Board.

No further business was introduced and the meeting was adjourned.