

**Virginia Birth Injury Fund
Board of Director's Meeting
November 9, 2004**

Attendees:

Melina Dee Perdue, Chair
Lynn Chapman
McLain O'Ferrall
Willette LeHew, M.D.
Ralph Shelman
Jennifer Ogburn
Ed Mazur – via telephone

Also Present:

George Deebo, Executive Director
Jessica Stuart, Claims Manager
Carla Collins, Office of the Attorney General
Frank Ferguson, Office of the Attorney General
Bill McKelway, Richmond Times Dispatch

Call to Order:

The meeting was called to order by Melina Perdue at 1:00pm.

Minutes:

The minutes from the previous meeting reviewed. Ed Mazur offered three additions/corrections which will be included. With the inclusions, the minutes were approved.

Finance:

George Deebo presented the financial statements with notes of interest in the following areas: Employee payroll lower for the month due to the timing of the report; Nursing costs are already well above those for last year. Nursing contracts are under review. Ralph Shelman motioned to accept and Bill LeHew seconded.

McLain O'Ferrall provided an update on the Investment Committee. He has gone over the proposals and the committee will have one chosen by the next meeting.

Public Comments:

None at this time

Executive Director Report:

George Deebo advised of the status of the regional meetings that have been scheduled. Richmond and Virginia Beach had to be cancelled due to low participation response from families. Ralph Shelman recommended a phone call with Jennifer Ogburn and George

Deebo to discuss ideas on how to open communication lines between the families and the board.

Annual physician assessment process continues.

New hire, Candice Thomas as Deputy Director to start on November 22, 2004 for the Deputy Director position.

Finance/Audit Committee:

The 2003 statements are to be restated by the auditor. David Bolton of Cherry, Bekeart and Holland will be in contact with the SCC with prepared questions. This is to be completed by next board meeting.

Closed Session:

Jennifer Ogburn moved that the meeting convene in a closed session to seek legal counsel regarding financial issues pursuant to the exemption at 2.2-3705. (This references 38.2-5002.2) The motion was seconded and the Board unanimously agreed.

Jennifer Ogburn 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. The motion was polled and unanimously agreed.

Result of Closed Session:

Ed Mazur moved that an exemption be made to the normal Board policy requiring a Program purchased van be returned in good working condition prior to supplying a new van in regards to the Horne's request. Ralph Shelman seconded the motion. The motion was passed unanimously.

Ralph Shelman moved to decline the [REDACTED] request that the Program purchase a modular home in lieu of the normal housing benefit and request Program staff to further investigate possibilities that would allow the claimant to obtain the normal benefit. Bill LeHew seconded the motion. The motion passed unanimously.

Miscellaneous:

Claimant filing status presented. Ed Mazur recommends board be advised of claims that go on appeal to the Court of Appeals. Bill LeHew seconded.

McLaine O'Ferrall moved that the meeting convene in a closed session to seek legal counsel regarding financial issues pursuant to the exemption at 2.2-3705. (This references 38.2-5002.2) The motion was seconded and the Board unanimously agreed.

Melina 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. The motion was polled and unanimously agreed.

Meeting adjourned at 4:30 pm.