

**Virginia Birth-Related Neurological Injury Compensation Program
Board of Director's Meeting
Minutes for September 13, 2016 - Draft**

Attendees:

Neal Schulwolf, Esq. – Chairman
Lydia Byrd
Rebecca Filla, M. D.
Vicki Harris, J. D.
Vanessa Rakestraw, Ph. D., C. R. C.
Rhonda Russell, A. I. C. P., M. P. A.

Also Present:

George Deebo, Executive Director
Candace Thomas, Deputy Director
Carla R. Collins, Senior Assistant Attorney General, Office of the Attorney General

Call to Order:

Neal Schulwolf, Chairman, called the meeting to order at 10:35 a.m.

Minutes:

Chairman Schulwolf moved to approve the July minutes. The Board unanimously approved the minutes.

Finance:

Deputy Director Thomas stated that the Program had 154 active claimants through the end of July. Investments totaled \$411 million in July 2016 as compared to \$398 million in the previous year. Dr. Filla moved to approve the Financial Report. Ms. Harris seconded the motion and it passed unanimously.

Ms. Thomas distributed an Internal Control Assessment Report. The report indicates the general process that is followed concerning requests for reimbursement of expenses for nursing or attendant care, therapy services, van purchases, and housing modifications. The report also includes observations, findings and any suggestions for any corrective action related to the procedures reviewed.

Investments:

Ms. Thomas stated that the investments were up by .4% as of the end of August with \$411 million in market value. The Small/Mid-Cap Equity category of investments experienced the best return on investment for the month at 2.9%. Emerging Markets are

at 14% for the year. Investments are all within acceptable policy parameters. No adjustments are necessary at this time.

Public Comment:

None

Closed Session (Claimant Issues):

Chairman Schulwolf moved in accordance with the provisions of Section 2.2-3711 (A)(7) of the Code of Virginia, that the Board go into closed meeting for the purpose of

Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel employed or retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel regarding pending litigation.

The motion was seconded by Ms. Harris and passed unanimously.

CERTIFICATION

Chairman Schulwolf moved the adoption of the following resolution:

WHEREAS, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Virginia Birth-Related Neurological Injury Compensation Program Board certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Board members were polled individually and each certified the motion.

New Business:

Executive Director Deebo requested that the Board nominate a new Vice Chair. After a discussion by the Board, Chairman Schulwolf moved to nominate Vanessa Rakestraw, PH.D, as the new Vice Chair. The Board unanimously approved the nomination. In addition to the Board nomination, Dr. Rakestraw and Ms. Russell volunteered to serve on the Investment Committee and Ms. Harris and Dr. Filla volunteered to serve on the Audit Committee.

Executive Director's Comments:

Mr. Deebo notified the Board that Angela Conley, the Program's Claims Benefit Manager, has resigned to become a teacher. She is currently working part-time at the Program through the month of September to assist with the transition. The new Claims Benefit Manager will be Natalie Edwards, who will begin working at the Program on September 20, 2016. Ms. Edwards has a background in the medical field and has a degree in business administration.

Mr. Deebo also informed the Board that there are two Board positions that still need to be filled. One position is that of a Citizen Representative with a CPA and the second position is that of a Participating Hospital Representative.

Adjournment:

Mr. Schulwolf, Chairman, adjourned the meeting at 11:52 a.m.