

**Virginia Birth-Related Neurological Injury Compensation Program  
Board of Director's Meeting  
Minutes for February 14, 2017 - DRAFT**

**Attendees:**

Neal Schulwolf, Esquire, Chairman  
Lydia Byrd  
Rebecca Filla, M. D.  
Vicki Harris, J. D.  
Vanessa Rakestraw, Ph. D., C. R. C., Vice Chair  
Rhonda Russell, Ed. D., A. I. C. P.  
Joseph Stepp, CPA, CGFM, CFE

**Also Present:**

George Deebo, Executive Director  
Candace Thomas, Deputy Director  
Natalie Edwards, Benefits and Claims Specialist  
Carla R. Collins, Senior Assistant Attorney General, Office of the Attorney General  
Robert J. Walling III, FCAS, MAAA, Principal & Consulting Actuary (via conference call)

**Call to Order:**

Neal Schulwolf, Chairman, called the meeting to order at 10:37 a.m.

**Introductions:**

Introductions were made by Board members and Senior Assistant Attorney General Collins.

**Minutes:**

Dr. Filla moved to approve the November minutes. Dr. Rakestraw seconded the motion and it passed unanimously.

**Finance:**

Deputy Director Thomas reported that there were no additional claimants awarded into the Program through December and that the Program has a total of 156 active claimants. All expenditures, per the financial pages, were routine.

**Investments:**

The Program has \$435 million in investments as of January 31, 2017. Total portfolio performance was up 1.5% for January due to strong results in large cap domestic and international equity managers. At the investment committee meeting Todd Early from

The Colony Group reported performance for the year end as of December 31, 2016 and interim as of February 10, 2017. The return for year-end was 4.6% with strong performance from domestic equity. The committee passed a motion to follow the consultant's rebalancing recommendations to reduce interest rate risk and move toward active managers.

**Public Comment:**

None

**Legislative:**

Director Deebo reported that HB2318 passed in the Virginia House, merely clarifying existing law. Although the Bill was amended in the Senate, it also retained the language which was included in the House version of the Bill. The Program understands that an attempt will be made in Conference to resolve the differences between the two versions of the Bill.

**New Business:**

Mr. Deebo asked the Board to discuss approaches to utilizing permanently installed electrical generators in combination with single area heating/cooling systems. The Board requested staff to do additional research and develop a proposed standard base cost for such potential benefit.

**Closed Session (Pending Cases/Probable Litigation):**

Dr. Russell moved that the meeting convene in accordance with the provisions of Section 2.2-3711 (A)(7) of the Code of Virginia, and 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 Dr. Filla and passed unanimously.

**CERTIFICATION**

Dr. Russell 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.

**Actuarial Review:**

Via telephone, Mr. Rob Walling with Principal Actuarial Resources, Inc., reviewed the biennial evaluation of the Program's assets and liabilities as of December 2015. Mr. Walling invited the Board to contact him should they have any questions concerning the report.

**Director's Comments:**

None.

**Adjournment:**

The meeting was adjourned at 12:05 p.m.