Virginia Birth- Related Neurological Injury Compensation Program

Program Board of Directors Meeting Minutes

November 18, 2025

Attendees:

David Ratz, Esq., Chair

M. Cathy Slusher, M.D

Jeremey Greenfield

Kevin Logan, Esq.

James B. Moon

John Gordon

Joel Dillion, Vice Chair

Virtual:

Patricia Byrnes-Schmehl, Falls Church, Northern Virginia

Also Present:

Dawn McCoy, Executive Director (Virtual)

Ronda Holloway, Operations Manager

Carla Collins, Chief Program Officer

Razaz Ali, Claims Processing Manager

Tammy Ratliff, Nurse

Shelby Boughner, Senior Director of Business Services

Kim Uccellini, Chief of Administration

Hanna Bareford, Human Resources Assistant

Charlotte Spence, Communications Specialist

Stephen Weir, C.E.O., Trustward

Luca Powell, Richmond Times Dispatch

Adonica Baine, Esq., Office of the Attorney General

Calvin Brown, Esq., Office of the Attorney General

Mark Hubbard, McGuire Woods

John Paolacci, Chief of Operations, Rising (Virtual)

Ann Jones, Esq.

Sarah Paskins, mother of admitted claimant

Beth Sanner, grandmother of admitted claimant

Jerry Sanner, grandfather of admitted claimant

Alan Polsky, grandfather of admitted claimant

Marissa Goldsmith, mother of admitted claimant

Robert Leh, father of admitted claimant

Andrew Gilman, Sklar Technology Partners

Call to Order

Chairman David Ratz called the meeting to order at 8:51 am

Introduction of Participants

All board members present introduce themselves.

Minutes from Previous Meeting

Board Chair Ratz motioned to discuss the October 14, 2025, Board meeting minutes. Member Cathy Slusher motioned to approve the minutes, and Member Kevin Logan seconded the Motion.

The Motion was voted upon and passed unanimously.

Finance Update

Audit status:

Stephen Weir, Trustward CEO, joined the Board and provided an update on Program finances. In 2024, the Program received $31 million from assessments and $14 million from investment interest. Funds were used for operations and investments, including $24 million paid to claimant families and $1.2 million for Program operations.

Weir reported that the 2022–2024 audits are in progress. The Program has completed half of the OSIG transaction samples, and OSIG has conducted most of its walkthroughs. Work will continue until the audits are finalized.

He also noted that the search for a new Outsourced Chief Investment Officer (OCIO) is underway and on track, with a full update expected at the December meeting.

Audit Committee Charter:

John Gordon presented the proposed Audit Committee, which will oversee financial reporting, internal controls, compliance matters, and audit activities in coordination with the Executive Director. The Committee will meet at least three times per year.

Chairman Ratz inquired about the Committee's size and voting structure. Following discussion, the Board agreed to remove the non-voting Board Chair provision from the Charter.

A motion by Cathy Slusher to strike bullet point 1 under "Composition," seconded by James Moon, was approved unanimously.

Program Update

New Staff Update:

Executive Director Dawn McCoy provided an update on new staffing efforts, noting that strengthening the Program's core functions has been a priority going into January 2025.

She announced the appointment of Shelby Boughner as Senior Director of Business Services, overseeing operations, data, communications, and serving as Board Clerk. Boughner brings more than 15 years of executive experience in healthcare and non-profit settings.

McCoy also introduced Kim Uccellini as Chief of Administration (COA), responsible for claims and case management. Uccellini has over 20 years of leadership experience at United Network for Organ Sharing.

Additionally, Tammy Ratliff has joined the Program as Registered Nurse, bringing 29 years of pediatric and complex care experience. Ratliff will work directly with families to assess and support their needs.

Claims Administrator:

Executive Director Dawn McCoy provided an update on Program operations with MCI/Rising, which assumed claims administration in May following BPA's 2017–2025 tenure. She noted that the Program team, along with Claims Processing Manager Razaz Ali and Chief of Administration Kim Uccellini, is working with Rising to prepare updated data and dashboards for the next Board meeting.

Rising reported that 194 admitted claimants are active in Vision, with 185 active RX cards, 58 claimants filling prescriptions, and 4,575 total finalized claims totaling approximately $3.06 million. Program savings total $267,000, and average claims processing time has improved to seven business days. The Vision satisfaction score is 9.78.

Rising Chief of Operations, John Paolacci, reported that 1,431 claims were finalized in October, with $1,407,728 issued in payments. Since May, Rising has disbursed more than $3 million in benefits, with roughly 4,400 of the 4,575 finalized claims paid. Home care accounts generate the highest payment volume. Rising also noted reduced processing times (nine to seven business days) and continues to address all negative feedback.

Board members asked questions regarding claim volume trends, claimant participation data, portal versus mailed submissions, and technology limitations. Paolacci committed to providing additional metrics at the December meeting. He confirmed that families unable to use the portal may submit claims by mail and that Rising assists claimants individually as needed.

Chairman Ratz asked about efforts to streamline claim approvals. Paolacci and McCoy confirmed that Rising has provided recommendations and that updated audit controls and thresholds are expected by December. Rising is awaiting final Program direction on specific benefit approvals.

Policy and Program Benefits Status Report:

Executive Director Dawn McCoy opened with an update on BPA claims, confirming no outstanding claims remain. In response to Chairman Ratz, Claims Processing Manager Razaz Ali confirmed she had received no reports of unresolved claims. McCoy then presented updated metrics comparing MCI Rising and in-house operations, noting improvements in administrative processes, cross-team collaboration, and documentation. She also reported that the MindSalt project is on track for completion in December, which will provide full process documentation for claims, case management, and business services. Slides outlined the Program's administrative scope, including claims, case management, community engagement, and communications.

McCoy provided an update on work with the Office of the Attorney General (OAG) and the Department of Planning and Budget on the economic impact analysis related to benefit increases. Outstanding questions are expected to be resolved within two weeks. She also reviewed ongoing survey, newsletter, and engagement efforts and highlighted positive trends in claimant feedback, increased forum participation, and strengthened case management support.

The Board then discussed the Parent Advisory Committee (PAC). A draft charter has been developed and is under OAG review, with the committee expected to launch early 2026. The Board agreed elements related to membership and committee structure should be explicitly outlined in the charter. OAG requested to see a comparable committee charter from the Florida Program and expressed urgency in finalizing the PAC structure.

Chairman Ratz requested an updated draft next week, with all revisions shown in redline form for Board review at the next meeting. The Board agreed that this is the appropriate time to formally engage families in developing the PAC.

Public Comment

Sarah Paskins, mother of an admitted claimant, expressed concerns about communication with the Program, stating that she and her family have experienced delayed responses, felt blamed for administrative errors, and perceived staff behavior as dismissive. She referenced comments she believes were included in FOIA materials and alleged to be made by staff. Paskins stated that her family has not received certain reimbursements, described the claims process as lacking transparency, and emphasized the need for improved communication, accountability, and timely support for families. She also raised concerns about staffing decisions, delays in obtaining medically necessary items, and inequities in meeting access.

Beth Sanner, grandmother of an admitted claimant, stated that she has attended meetings for eight months and does not believe sufficient progress has been made. She expressed concern about what she described as significant unpaid amounts owed to families and delays affecting medically fragile children. She requested clarity on

outstanding amounts and urged real-time responses during meetings rather than deferring answers.

Alan Polsky, grandfather of an admitted claimant, stated that families perceive an "us versus them" dynamic with the Program. He requested that draft PAC materials be included in the next board packet and expressed concern that information had not been shared proactively. Polsky also supported including families in the Audit Committee and recommended adding Mr. Goldsmith as a member. He asked the Board to consider a more accessible meeting venue and a later start time.

Marissa Goldsmith, mother of an admitted claimant, requested expanded reporting from Rising, including year-over-year comparisons. She raised questions about BPA communication, NPS score accuracy, and system usability, and requested that procurement documents and the PAC charter be made public. Goldsmith asked for transparency regarding contractor spending during the transition period. She expressed concerns about DME delays, staffing and retention figures, potential underpayment of agencies, and completeness of FOIA responses. Goldsmith also encouraged greater data transparency and expressed disappointment that executive remarks follow public comment. Chairman Ratz requested that she email her suggestions and concerns for further review.

Closed

Chairman Ratz moved to go into Closed Session at approximately 10:38 a.m.

In accordance with the provisions of §2.2-3711 (A)(1); § 2.2-3711 (A)(7); § 2.2-3711 (A)(8); and §2.2-3711 (A)(29) of the Code of Virginia, he moved that the Board of Directors for the Virginia Birth Related Neurological Injury Compensation Program go into closed meeting for the purpose of:

Discussion and consideration of assignment, appointment, promotion, performance, salary, disciplining, or resignation of an employee or employees- the subject of which is a discussion of the recent resignation of the employees and "Former Finance Employee Review";

Consultation with legal counsel and briefings by staff members or consultants pertaining

to actual or probable litigation, where such consultation or briefings 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- the subject of which are 1) contracts with the past and current claims servicing companies, 2) discussion of claims and pending cases against the Program related to birth injuries, 3) the pursuit of monetary claims in favor of the Program, and 4) contracts with prospective accounting firms; and Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body- the subject of which are contracts with prospective accounting firms.

Board member Cathy Slusher seconded the Motion. The Motion was voted upon and passed unanimously.

Certification

Chair Ratz moved for the adoption of the following Resolution by the members of this Board of Directors:

WHEREAS, the Virginia Birth-Related Neurological Injury Compensation Program's Board has convened in 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, §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's 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 in the closed meeting by the Board.

Member Joel Dillion, Vice-Chair, seconded the Motion. The members of the Board were polled individually and each certified the Resolution.

Chairman Ratz motioned to adopt resolutions from Program Board to make an offer in case number B-22-04 and (audit case number) as discussed in closed session. Board member John Gordon seconded the Motion. All members voted upon the motion, and it was approved unanimously.

Executive Directors Comment

Executive Director, Dawn McCoy, mentioned Program staff efforts to reach out to families for follow-up on BPA claims. She discussed the Boards virtual policy, special meeting requirements, and calls for specific purposes. The Board optioned the idea of having meetings become bi-monthly. Those dates have been requested to be outlined for the year 2026. McCoy asked council to weigh in for upcoming Board elections and to address it during the December meeting.

Adjournment

Chairman Ratz moved to adjourn the meeting at 2:05 p.m., and it was seconded by Board Member Cathy Slusher. The Motion was voted upon and passed unanimously.