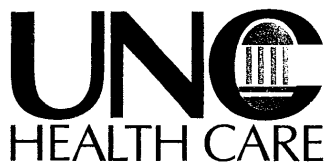


Liability Insurance Trust Fund Council

Membership Roster

May, 2007

Member	Title	Department	Tel	Address						Asst's Name	Asst's E-mail
Jeff Smith	Deputy Treasurer	Dept. of the State Treasurer	807-3110	325 N. Salisbury Street	St Courier # 56-20-45	Raleigh,	NC	27603	Jeff.smith@nctreasurer.com	n/a	n/a
Tom Newsome	Budget Administrator	Office of State Budget	733-7061	20320 Mail Svc Ctr	St Courier # 51-01-02	Raleigh,	NC	27699-0320	tom.newsome@ncmail.net	n/a	n/a
VACANT	Director, Fiscal Services										
Philip G. Boysen, MD	Chair	Dept. of Anesthesiology	966-5136	223 Burnett-Womack	CB# 7010				boysen@aims.unc.edu	Jan Scanlon	jscanlon@aims.unc.edu
VACANT	Asst. General Counsel									Laurie Powell	
VACANT	xxxxxxxxxxxxxxxxxxxxxx xxxxx									n/a	n/a
Ben Gilbert	Director, Legal Affairs	UNC Health Care System	966-0596	6001 East Wing	CB# 7600				bgilbert@unch.unc.edu	Kristen Gaffney	Kgaffney@unch.unc.edu
Brian Goldstein, MD	Chief of Staff, Exec Assoc. Dean, Clin. Affairs	School of Medicine	966-8622	Bondurant Hall	CB# 7000				brian_goldstein@med.unc.edu	Carol Julian	carol_julian@med.unc.edu
Gary Park	President	UNC Hospitals	966-5111	6015 East Wing	CB# 7600				Gpark@unch.unc.edu	Darlene Staley	dstaley@unch.unc.edu
Marschall Runge	President, UNC Physicians	UNC Health Care System	966-1328	3033 Old Clinic Bldg	CB# 7005				Marschall_Runge@med.unc.edu	Katie O'Brien	katie_obrien@med.unc.edu
David Nance	Audit Manager	NC Dept. of State Auditor	807-4700	2 S. Salisbury St. 20601 State Service Ctr.	St Courier # 52-71-15	Raleigh,	NC	27699	David_nance@ncauditor.net	n/a	n/a
Joseph D. Rippard	Risk Manager	NC Dept. of Insurance	733-3901	Post Office Box 26387	St Courier # 52-21-00	Raleigh,	NC	27611	jrippard@ncdoi.net	n/a	n/a
Celia Lata	Deputy Atty General	Attorney General	966-9953	6001 East Wing	CB 7600				clata@unch.unc.edu	n/a	n/a



William L. Roper, MD, MPH
Chief Executive Officer
Phone: (919) 966-4161
Fax: (919) 966-8623
roper@med.unc.edu

May 8, 2007

Erskine B. Bowles
President, University of North Carolina
General Administration
910 Raleigh Road
Chapel Hill, North Carolina 27599

Dear President Bowles:

As you know, UNC Hospitals and the UNC School of Medicine jointly operate a self-insured professional liability program. The North Carolina statutes that authorize the program provide for a governing body, the Liability Insurance Trust Fund Council (LITFC). The law specifies that the Council of State appoint five of the thirteen members of the LITFC and that the Board of Governors appoint eight. Traditionally, the Board has appointed one member from General Administration and seven from the medical center.

I write to ask that you recommend to the Board of Governors that it appoint Hunter Wagstaff, Director of Accounting and Assistant Chief Financial Officer of the UNC Health Care System, to replace Charles Ayscuc, former Chief Financial Officer of the UNC Health Care System, on the LITFC.

Please let me know if I may provide additional information.

Sincerely,


William L. Roper

WLR:mm

The University of North Carolina
Health Care System
4030 Bondurant Hall
Campus Box 7000
Chapel Hill, NC 27599-7000

Chapter 116.

Higher Education.

Article 1.

The University of North Carolina.

Part 1. General Provisions.

§ 116-1. Purpose.

(a) In order to foster the development of a well-planned and coordinated system of higher education, to improve the quality of education, to extend its benefits and to encourage an economical use of the State's resources, the University of North Carolina is hereby redefined in accordance with the provisions of this Article.

(b) The University of North Carolina is a public, multicampus university dedicated to the service of North Carolina and its people. It encompasses the 16 diverse constituent institutions and other educational, research, and public service organizations. Each shares in the overall mission of the university. That mission is to discover, create, transmit, and apply knowledge to address the needs of individuals and society. This mission is accomplished through instruction, which communicates the knowledge and values and imparts the skills necessary for individuals to lead responsible, productive, and personally satisfying lives; through research, scholarship, and creative activities, which advance knowledge and enhance the educational process; and through public service, which contributes to the solution of societal problems and enriches the quality of life in the State. In the fulfillment of this mission, the university shall seek an efficient use of available resources to ensure the highest quality in its service to the citizens of the State. Teaching and learning constitute the primary service that the university renders to society. Teaching, or instruction, is the primary responsibility of each of the constituent institutions. The relative importance of research and public service, which enhance teaching and learning, varies among the constituent institutions, depending on their overall missions. (1971, c. 1244, s. 1; 1995, c. 507, s. 15.17.)

§ 116-2. Definitions.

As used in this Article, unless the context clearly indicates a contrary intent:

- (1) "Board" means the Board of Governors of the University of North Carolina.
- (2) "Board of trustees" means the board of trustees of a constituent institution.
- (3) "Chancellor" means the chancellor of a constituent institution.
- (4) **(Effective until July 1, 2007)** "Constituent institution" or "institution" means one of the 16 public senior institutions, to wit, the University of North Carolina at Chapel Hill, North Carolina State University at Raleigh, the University of North Carolina at Greensboro, the

§ 116-220. Establishment and administration of self-insurance trust funds; rules and regulations; defense of actions against covered persons; application of § 143-300.6.

(a) In the event the Board elects to act as self-insurer of a program of liability insurance, it may establish one or more insurance trust accounts to be used only for the purposes authorized by this Article: Provided, however, said program of liability insurance shall not be subject to regulation by the Commissioner of Insurance. The Board is authorized to receive and accept any gift, donation, appropriation or transfer of funds made for the purposes of this section and to deposit such funds in the insurance trust accounts. All expenses incurred in collecting, receiving, and maintaining such funds and in otherwise administering the self-insured program of liability insurance shall be paid from such insurance trust accounts.

(b) Subject to all requirements and limitations of this Article, the Board is authorized to adopt rules and regulations for the establishment and administration of the self-insured program of liability insurance, including, but not limited to, rules and regulations concerning the eligibility for and terms and conditions of participation in the program, the assessment of charges against participants, the management of the insurance trust accounts, and the negotiation, settlement, litigation, and payment of claims.

→ (c) The Board is authorized to create a Liability Insurance Trust Fund Council composed of not more than 13 members; one member each shall be appointed by the State Attorney General, the State Auditor, the State Insurance Commissioner, the Director of the Office of State Budget and Management, and the State Treasurer; the remaining members shall be appointed by the Board. Subject to all requirements and limitations of this Article and to any rules and regulations adopted by the Board under the terms of subsection (b) of this section, the Board may delegate to the Liability Insurance Trust Fund Council responsibility and authority for the administration of the self-insured liability insurance program and of the insurance trust accounts established pursuant to such program.

(d) Defense of all suits or actions against an individual health-care practitioner who is covered by a self-insured program of liability insurance established by the Board under the provisions of this Article may be provided by the Attorney General in accordance with the provisions of G.S. 143-300.3 of Article 31A of Chapter 143; provided, that in the event it should be determined pursuant to G.S. 143-300.4 that defense of such a claim should not be provided by the State, or if it should be determined pursuant to G.S. 143-300.5 and G.S. 147-17 that counsel other than the Attorney General should be employed, or if the individual health-care practitioner is not an employee of the State as defined in G.S. 143-300.2, then private legal counsel may be employed by the Liability Insurance Trust Fund Council and paid for from funds in the insurance trust accounts.

(e) For purposes of the requirements of G.S. 143-300.6, the coverage provided State employees by any self-insured program of liability insurance established by the Board pursuant to the provisions of this Article shall be deemed to be commercial liability insurance coverage within the meaning of G.S. 143-300.6(c).

(f) By rules or regulations adopted by the Board in accordance with G.S. 116-220(b) of this Article, the Board may provide that funds maintained in insurance trust accounts under such a self-insured program of liability insurance may be used to pay any expenses, including damages ordered to be paid, which may be incurred by the University of North Carolina, a constituent institution of the University of North Carolina, or the University of North Carolina Hospitals at Chapel Hill with respect to any tort claim, based on alleged negligent acts in the provision of health-care services, which may be prosecuted under the provisions of Article 31 of Chapter 143 of the General Statutes. (1975, 2nd Sess., c. 976; 1987, c. 263, s. 1; 1989, c. 141, s. 7; 2000-140, s. 93.1(a); 2001-424, s. 12.2(b).)