

THE COMMITTEE ON UNIVERSITY GOVERNANCE

Thursday, January 8, 2004

4:00 p.m.

Conference Room B

General Administration Building

TENTATIVE AGENDA

1. Approval of the minutes of November 13, 2003
2. Approval of the minutes of December 19, 2003
3. Consideration of a petition regarding political activity - Mr. Corgnati
4. Discussion of changes to Policy 200.5, *Initiating and Settling Lawsuits*, Policy 1200.4, *Policy Authorizing The University of North Carolina Hospitals at Chapel Hill to Initiate Lawsuits*, and Policy 1200.5, *Policy Authorizing the Initiation of Lawsuits on Behalf of The University of North Carolina at Chapel Hill for the Benefit of UNC Physicians and Associates* - Ms. Winner
5. Proposed amendments to *The Code* - Committees of the Board of Governors, Chapter III - Ms. Winner
6. Discussion of vacancies on councils and boards of trustees:
 - ** (a) There is a term ending June 30, 2005, on the North Carolina School of Science and Mathematics Educational Advisory Council.
 - ** (b) There is a partial term ending June 30, 2007, on the University of North Carolina Press Board of Governors.
7. Other Business

** These vacancies have been announced at a prior meeting of the Board of Governors.

Note: The Board was given notice at its meeting on November 14, 2003, that a proposed amendment to *The Code*, Section 302 C, Meetings of Standing Committees, would be presented at the January board meeting for its consideration. In this section you will find a version of the proposed amendment with a revision suggested by Mr. Farris, in addition to the committee's recommended amendment.

The Board was also given notice at its meeting on November 14, 2003, that a proposed amendment to *The Code*, Appendix 1 III, Academic Degrees and Grading, would be presented at the January board meeting for its consideration. In this section you will find the committee's recommended amendment.

1/7/04

Adopted 06/08/90

[Proposed Amendment 12/11/03](#)

**POLICY AUTHORIZING THE UNIVERSITY OF NORTH CAROLINA HOSPITALS AT
CHAPEL HILL TO INITIATE AND SETTLE LAWSUITS**

WHEREAS, it has been alleged that the University of North Carolina Hospitals at Chapel Hill, as a legal entity, has no authority independent of the University of North Carolina to initiate, ~~prosecute, or settle~~ lawsuits in its own name for the collection of unpaid patient accounts; and

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WHEREAS, any such questions about the legal capacity of said agency to prosecute lawsuits is to conveniently resolved by an enabling resolution of the Board of Governors;

NOW THEREFORE, be it resolved by the Board of Governors, that the Attorney General of the State of North Carolina is authorized, under the provisions of N.C.G.S. § 116-3, to initiate any lawsuit on behalf of the University of North Carolina Hospitals at Chapel Hill, in the name of the Board of Governors of the University of North Carolina, as ~~the Attorney General~~ may deem appropriate for the collection of any unpaid patient account. ~~The President of the University of North Carolina Hospitals at Chapel Hill, or his~~ delegee, is authorized to settle these lawsuits.

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Adopted 11/08/91

**POLICY AUTHORIZING THE INITIATION OF LAWSUITS ON BEHALF OF THE
UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR THE
BENEFIT OF UNC PHYSICIANS AND ASSOCIATES AND ON BEHALF OF EAST CAROLINA
UNIVERSITY FOR THE BENEFIT OF THE ECU MEDICAL FACULTY PRACTICE PLAN**

WHEREAS, UNC Physicians and Associates is a unit of the School of Medicine of UNC-CH which administers collection of accounts for providing various professional services, including patient care within clinics maintained at the University of North Carolina Hospitals at Chapel Hill; and

WHEREAS, ECU Medical Faculty Practice Plan is a unit of the School of Medicine of ECU which administers collection of accounts for providing various professional services, including patient care within clinics operated by ECU and at Pitt County Memorial Hospital; and

WHEREAS, from time to time it is necessary to initiate lawsuits for the collection of unpaid accounts for the rendering of such professional services; and

WHEREAS, neither the University of North Carolina at Chapel Hill nor East Carolina University has independent authority to initiate, prosecute, or settle lawsuits in its own name for the collection of unpaid accounts; and

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WHEREAS, it would expedite collection efforts if the Attorney General were authorized to initiate such lawsuits on behalf of the University of North Carolina at Chapel Hill and East Carolina University without requiring that each such lawsuit be authorized by the Board of Governors;

NOW THEREFORE, be it resolved by the Board of Governors, that the Attorney General of North Carolina is authorized, under the provisions of N.C.G.S. § 116-3, to initiate lawsuits in the name of The University of North Carolina, on behalf of the University of North Carolina at Chapel Hill, for the collection of any unpaid account administered by UNC Physicians and Associates, and is authorized to initiate lawsuits in the name of the University of North Carolina, on behalf of East Carolina University, for the collection of any unpaid account administered by the ECU Medical Faculty Practice Plan, as the Attorney General may deem appropriate, and the chancellors of the University of North Carolina at Chapel Hill and East Carolina University, or their respective designees, are authorized to settle these lawsuits.

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Deleted: provided, that the Attorney General shall furnish to the Committee on University Governance (1) a copy of the policies and procedures manual governing the collection of debts owed UNC Physicians and Associates and (2) a copy of the annual fiscal-year-end report prepared by the Attorney General for UNC Physicians and Associates concerning such debt-collection litigation.

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