MINUTES
MEDICAL UNIVERSITY of SOUTH CAROLINA
BOARD OF TRUSTEES MEETING
December 12, 2008

The Board of Trustees of the Medical University of South Carolina convened Friday, December 12, 2008, with the following members present: Dr. Charles B. Thomas, Jr., Chairman; Thomas L. Stephenson, Esquire, Vice Chairman; Dr. Stanley C. Baker, Jr.; Mr. Melvyn Berlinsky; Mr. William H. Bingham, Sr.; Dr. Cotesworth P. Fishburne, Jr.; Mr. William B. Hewitt; Dr. Donald R. Johnson II; Dr. E. Conyers O'Bryan, Jr.; Dr. Thomas C. Rowland, Jr.; Mr. Charles W. Schulze; The Honorable Robin Tallon; Dr. James E. Wiseman, Jr.; Emeritus: Mrs. Claudia W. Peeples; The Honorable Phillip D. Sasser. Absent: Dr. Paula E. Orr.

The following administrative officials were present: Dr. Raymond S. Greenberg, President; Dr. John Raymond, Vice President for Academic Affairs and Provost; Dr. Jerry Reves, Vice President for Medical Affairs, and Dean, College of Medicine; Ms. Lisa Montgomery, Vice President for Finance and Administration; Mr. Stuart Smith, Vice President for Clinical Operations and Executive Director, MUHA; and Dr. Frank Clark, Vice President for Information Technology and CIO.

The following deans were present: Dr. Jack Sanders, College of Dental Medicine; Dr. Mark Sothmann, Dean, College of Health Professions; Dr. Perry Halushka, Dean, College of Graduate Studies Dr. Jerry Reves, College of Medicine; Dr. Gail Stuart, College of Nursing; and Dr. Arnold Karig, College of Pharmacy; Dr. Joseph DiPiro, Executive Dean, SCCP.

Item 1. **Call to Order-Roll Call.**

There being a quorum present, Chairman Thomas called the meeting to order. Ms. Celeste Jordan called the roll.

Item 2. **Secretary to Report Date of Next Meeting.**

The date of the next regularly scheduled meeting is February 13, 2009.

Item 3. **Approval of Minutes of the Regular Meeting of the Medical University of South Carolina October 3, 2008 and the Special Called Telephone Conference November 20, 2008.**

Board Action: It was moved that the Minutes be approved. The motion was seconded, voted on and unanimously carried.

RECOMMENDATIONS AND INFORMATIONAL REPORTS OF THE PRESIDENT

OLD BUSINESS: None.

NEW BUSINESS:

Item 4. **General Informational Report of the President.**

Dr. Greenberg distributed his activity report since the last meeting. He stated most of his attention since the last meeting has been spent dealing with the budget...
challenges. He also distributed a brief summary of the Horizon Research District Proposal that was distributed to Charleston City Council this week. He reminded the Board that MUSC has been working conceptually with the City of Charleston for about 4-5 years to develop a vision for a mixed use development with a component of research and technology transfer which would also have housing, shopping and other uses. The City is seeking approval to create a TIF District – a mechanism by which a municipal authority, as it has improvements to its tax base, can borrow money to do basic infrastructure kinds of things with the additional tax revenue. The infrastructure would be used for roads and sewer to support the eventual development of the community.

While the University is not prepared under the current economic climate to build anything in that area, we do need to think about what we do there in the long term to help develop this research park. MUSC could not have a better relationship with the City and Mayor Riley in working together on this project. There have been several articles in the newspaper recently regarding the project and Dr. Greenberg wanted the Board to be updated on the status of the project.

Dr. Karig introduced Dr. Wayne Weart, Professor of Pharmacy and Clinical Sciences and a thirty-year veteran of MUSC. He has been recognized many times for his teaching excellence as well a many other honors. Dr. Weart talked about his background and shared his educational philosophy.

Recommendation of Administration: That the reports be received as information.

Board Action: Received as information.

Item 5. Other Business. None.

RESEARCH AND INSTITUTIONAL ADVANCEMENT COMMITTEE. CHAIRMAN: DR. COTESWORTH P. FISHBURN, JR.  (Detailed committee minutes are attached to these minutes).

OLD BUSINESS: None.

NEW BUSINESS:


Statement: Dr. Fishburne stated that Dr. Steve Lanier reported to committee that research funding is holding steady. Dr. Jeannette Andrews gave a presentation to committee on community health partnerships.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.
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Board Action: Received as information.

**Item 7. General Report of the Vice President for Development.**

**Statement:** Dr. Fishburne stated that Mr. Fisher was not present today since he was with the Board of Visitors. Mr. Fisher stated to committee that fund raising had been doing amazingly well in spite of the economic downturn.

**Recommendation of Administration:** That this report be received as information.

**Recommendation of Committee:** That this report be received as information.

**Board Action:** Received as information.

**Item 8. General Report of the Executive Director of the MUSC Foundation for Research Development.**

**Statement:** Dr. Fishburne stated that Mr. Chip Hood had reported to committee on the Foundation activities and the most exciting upcoming event is a visit by the President of Fuji’s Greenwood facility. The President will tour MUSC in preparation for the March ’09 visit by the corporate head of Fuji Research and Development from Japan.

**Recommendation of Administration:** That this report be received as information.

**Recommendation of Committee:** That this report be received as information.

**Board Action:** Received as information.

**Item 9. Other Committee Business.**

**Item 10. Approval of Nominees for the 2009-2010 MUSC Board of Visitors (Consent Item).**

**Statement:** Dr. Fishburne asked for approval of the nominees to the Board of Visitors

**Recommendation of Administration:** That the nominees be approved.

**Recommendation of Committee:** That the nominees be approved.

**Board Action:** A motion was made, seconded and unanimously voted to approve the 2009-2010 nominees for the Board of Visitors.

EDUCATION, FACULTY AND STUDENT AFFAIRS COMMITTEE. CHAIRMAN: Mr. Melvyn Berlinsky (Detailed committee minutes are attached to these minutes).

OLD BUSINESS: None.

NEW BUSINESS:

Statement: Mr. Berlinsky called on Dr. Raymond who reported the committee had received two reports - one from the SGA and one from the Faculty Senate. There were two informational items: the closure of the Communications Science and Disorders Program and the designation of Dr. Ronald See as a J. William Fulbright Scholar Award Recipient for this year.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

Item 12. Other Business.

- Faculty Appointments

Statement: At the request of the Dean of the College of Medicine, administration presents for approval the following faculty appointments.

College of Medicine
Samir M. Fakhry, M.D., as Professor with tenure, on the Clinician Educator track, in the Department of Surgery, Division of General Surgery, effective January 1, 2009.

South Carolina College of Pharmacy
Anne P. Spencer, Pharm.D., as Clinical Associate Professor in the Department of Clinical Pharmacy and Outcome Sciences, effective December 1, 2008.

Recommendation of Administration: That these faculty appointment be approved.

Recommendation of Committee: That these faculty appointments be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the faculty appointments.

- University Center Designations

Statement: At the request of Dean of the College of Medicine, administration presents for approval, center designation for the following center, effective December 12, 2008.

John A. Colwell Diabetes Research Center

Recommendation of Administration: That university center designation be approved for the John A. Colwell Diabetes Research Center.

Recommendation of Committee: That university center designation be approved for the John A. Colwell Diabetes Research Center.
Board Action: A motion was made, seconded and unanimously voted to approve the John A. Colwell Diabetes Research Center.

- **Closure of the Communication Sciences and Disorders Program**

**Statement:** At the request of the Dean of the College of Health Professions, administration presents as information the closing of the Communication Sciences and Disorders Program in the College of Health Professions, effective when the last matriculated student graduates or leaves the program. This program will no longer accept new students, effective immediately, and the College will support the present accredited CSD program until all current students graduate and receive their degree, which will be spring 2010.

**Recommendation of Administration:** That this be received as information.

**Recommendation of Committee:** Dr. O'Bryan requested that this item be discussed further at a future time.

**Board Action:** Received as information.

- **J. William Fulbright Scholar Award**

**Statement:** At the request of the Dean of the College of Medicine, administration presents as information the approved request for paid professional leave for Ronald See, Ph.D., to represent the Medical University of South Carolina as a J. William Fulbright Scholar at the University of Ljubljana, Slovenia.

**Recommendation of Administration:** That this be received as information.

**Recommendation of Committee:** That this be received as information.

**Board Action:** Received as information.

**Item 13. Conflict of Interest Policy. (Consent Item).**

**Statement:** Mr. Berlinsky stated action on the Conflict of Interest Policy was delayed until the February meeting.

**Recommendation of Administration:** That action on the Conflict of Interest Policy be delayed until the February meeting.

**Recommendation of Committee:** That action on the Conflict of Interest Policy be delayed until the February meeting.

**Board Action:** Any action on the Conflict of Interest Policy be delayed until the February meeting.

**Item 14. Revisions to the SCCP MOU. (Consent Item).**
Statement: The Revisions to the SCCP MOU were presented for approval.

Recommendation of Administration: That Revisions to the SCCP MOU be approved.

Recommendation of Committee: That Revisions to the SCCP MOU be Approved.

Board Action: A motion was made, seconded and unanimously voted to approve the Revisions to the SCCP MOU.

Item 15. Faculty Appointments (Consent Item).

Statement: At the request of the deans of the Colleges of Dental Medicine, Medicine, and Nursing, and their respective Appointments, Promotions and Tenure Committees, administration presents for approval the following faculty appointments:

College of Dental Medicine
Peter M. Miller, Ph.D., (joint appointment) Professor, in the Department of Stomatology, Division of Oral Medicine, effective October 1, 2008.

Dr. Miller’s primary appointment rests in the Department of Psychiatry and Behavioral Sciences, College of Medicine.

College of Medicine
Samir M. Fakhry, M.D., as Professor, on the Clinician Educator track, in the Department of Surgery, Division of General Surgery, effective January 1, 2009.
Edward C. Jauch, M.D., as Associate Professor in the Department of Neurosciences, Division of Neurology, effective October 1, 2008.
Edward M. Kantor, M.D., as Associate Professor, on the Clinician Educator track, in the Department of Psychiatry and Behavioral Sciences, effective November 17, 2008.
Marga F. Massey, M.D., as Clinical Associate Professor in the Department of Surgery, Division of Plastic Surgery, effective December 1, 2008.
Martin Morad, Ph.D., (dual appointment) as Professor, on the Academic Investigator track, in the Department of Cell Biology and Anatomy, with a dual appointment as Professor, in the Department of Cell and Molecular Pharmacology and Experimental Therapeutics, effective October 1, 2008.

Dr. Morad will hold an Endowed Chair in the South Carolina Centers of Economic Excellence Center in Regenerative Medicine. In South Carolina, Dr. Morad will serve as the Director of the South Carolina Center for Cardiac Molecular Signaling, and will hold the University of South Carolina Centers of Economic Excellence “HSSC Endowed Chair in Cardiac Molecular Imaging”.

Paul C. Rousseau, M.D., as Associate Professor, on the Clinician Educator track, in the Department of Medicine, Division of General Internal Medicine, effective September 1, 2008.
James Allen Scardo, M.D., as Professor, MUSC AHEC (Spartanburg), effective October 1, 2008.
Stephen T. Vermillion, M.D., as Associate Professor, MUSC AHEC (Spartanburg), effective October 1, 2008.

Robert P. Whitehead, M.D., as Professor, on the Clinician Educator track, in the Department of Medicine, Division of Hematology/Oncology, effective August 1, 2008.

College of Nursing
Laura K. Cousineau, M.L.S., (joint appointment) as Associate Professor in the Department of Nursing, effective November 1, 2008.

Ms. Cousineau’s primary appointment rests in the Department of Library Science and Informatics.

Recommendation of Administration: That these faculty appointments be approved.

Recommendation of Committee: That these faculty appointments be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the faculty appointments.

Item 16. Changes in Faculty Status (Consent Item).

Statement: At the request of the deans of the Colleges of Dental Medicine, Health Professions and Medicine, and their respective Appointments, Promotions and Tenure Committees, administration presents for approval the following changes in faculty status.

College of Health Professions
David G. Askins, M.D., from Professor to Adjunct Professor in the Department of Health Professions, Division of Physician Assistant, effective July 1, 2008.

College of Medicine and Dental Medicine
Edward Balish, Ph.D., from Professor to Professor Emeritus in the Department of Microbiology and Immunology, effective October 1, 2008.

College of Medicine
Kenneth J. Bergmann, M.D., from Associate Professor to Adjunct Associate Professor in the Department of Neurosciences, Division of Neurology, effective October 1, 2008.

Paul M. Darden, II, M.D., from Professor to Clinical Professor, in the Department of Pediatrics, Division of General Pediatrics, effective December 1, 2008.

Ayad A. Jaffa, Ph.D., from Professor to Adjunct Professor in the Department of Medicine, Division of Endocrinology, effective August 1, 2008.

Gautham K. Suresh, M.D., from Associate Professor to Clinical Associate Professor in the Department of Pediatrics, retroactive to February 15, 2007

Himanshu P. Upadhyaya, M.B.B.S., from Associate Professor to Adjunct Associate Professor in the Department of Psychiatry and Behavioral Sciences, effective August 1, 2008.
Gregory W. Warr, Ph.D., from Professor to Professor Emeritus, in the Department of Biochemistry and Molecular Biology, effective September 1, 2008.

Recommendation of Administration: That these recommendations for changes in faculty status be approved.

Recommendation of Committee: That these recommendation for changes in faculty status be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the changes in faculty status.

Item 17. **MUSC Trustees Leadership Academy Fellowship Nomination (Consent Item).**

Statement: Administration presents for approval, the following nomination for the MUSC Trustees Leadership Academy Fellowship, to be effective May 15, 2008.

Sheldon A. Bates, President, Student Government Association and student, College of Dental Medicine

Recommendation of Administration: That this nomination for the MUSC Trustees Leadership Academy be approved.

Recommendation of the Committee: That this nomination for the MUSC Trustees Leadership Academy be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the nomination for the MUSC Trustees Leadership Academy.

FINANCE AND ADMINISTRATION COMMITTEE. CHAIRMAN: MR. CHARLES W. SCHULZE (Detailed committee minutes are attached to these minutes).

OLD BUSINESS: None

NEW BUSINESS:

Item 18. **Financial Status Report of the Medical University of South Carolina.**

Statement: Mr. Schulze said Mr. Patrick Wamsley reported on the financial status of the University.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

Item 19. **Financial Status Report of the University Medical Associates.**
Statement: Mr. Schulze said Mr. Mike Keels had presented the University Medical Associates financial report to committee.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.


Statement: Mr. Schulze said Ms. Janet Scarborough had reported on the activities of the MUSC Foundation for Research Development.

Recommendation of Administration: That the report be received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

Item 21. Other Business.

Statement: Mr. Schulze stated Mr. Wamsley had presented to committee a resolution authorizing the University to enter into an Energy Performance Contract with AMERESCO, Inc. not to exceed $20,000,000 and to finance the Energy Performance Contract through the State Master Lease Program for a term of 9 years.

Recommendation of Administration: That the resolution be approved.

Recommendation of Committee: That the resolution be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the resolution.

Statement: Mr. Schulze stated Ms. Annette Drachman presented to committee a resolution authorizing the execution and delivery of a use agreement among UMA, MUSC and MUHA of the Rutledge Tower. The agreement states that MUHA and MUSC agree to use the Rutledge Tower building in accordance with the sublease and not to use the building for activities that would affect the tax exempt status of the bonds.

Recommendation of Administration: That the resolution be approved.

Recommendation of Committee: That the resolution be approved.

Board Action: A motion was made, seconded and unanimously voted to approve the resolution.
UNIVERSITY PHYSICAL FACILITIES COMMITTEE. CHAIRMAN: MR. WILLIAM H. BINGHAM, SR. (Detailed committee minutes are attached to these minutes).

OLD BUSINESS: None

NEW BUSINESS:

Item 22. **Update on Projects.**

*Statement:* Mr. Bingham reported Mr. John Malmrose presented an update on various University projects which was received as information by committee.

*Recommendation of Administration:* Receive as information.

*Recommendation of Committee:* Receive as information.

*Board Action:* Received as information.

Item 23. **Other Committee Business.**

*Statement:* Mr. Bingham stated he, Drs. Baker, Rowland and Mr. Schulze had served on a selection committee to select an architect for the CSB renovation project for neurosciences. The firm selected was Coast Architects from Charleston, SC.

*Recommendation of Committee:* That Coast Architects be approved to provide professional services for the CSB renovation project for neurosciences.

*Board Action:* A motion was made, seconded and unanimously voted to approve Coast Architects to provide professional services for the CSB renovation project for neurosciences.

*Statement:* Mr. Bingham stated he, Drs. Baker, Rowland and Mr. Schulze had served on a committee to select an architect to provide professional services for the Psych Institute Generator, ATS & Switchgear Replacement. The firm selected was Guy White Associates from Columbia, SC.

*Recommendation of Committee:* That Guy White Associates be approved to provide professional services for the Psych Institute Generator, ATS & Switchgear Replacement.

*Board Action:* A motion was made, seconded and unanimously voted to approve Guy White Associates to provide professional services for the Psych Institute Generator, ATS & Switchgear Replacement.

Item 24. **Facilities Contracts Awarded (Consent Item).**
Statement: Facilities contracts awarded since the last board meeting were presented for information.

Recommendation of Administration: That this be received as information.

Recommendation of Committee: That this be received as information.

Board Action: Received as information.

UNIVERSITY AUDIT COMMITTEE. CHAIRMAN: THOMAS L. STEPHENSON, ESQUIRE
(Detailed committee minutes are attached to these minutes).

OLD BUSINESS: None

NEW BUSINESS:

Item 25. **MUSC External Audit Report**

Statement: Mr. Stephenson reported the Committee had received a report from the external auditors and he said it was a clean report, as usual.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

Item 26. **Report of Internal Auditor**

Statement: Mr. Stephenson stated Ms. Susan Barnhart had provided a report which was received as information.

Recommendation of Committee: That the report be received as information.

Board Action: Received as information.

Item 27. **Other Business**. None

OTHER BUSINESS FOR THE BOARD OF TRUSTEES:

Item 28. **Approval of Consent Agenda**.

Statement: Approval of the University consent agenda was requested.

Recommendation of Administration: That the consent agenda be approved.

Board Action: It was moved, seconded and unanimously voted that the consent agenda be approved.

Item 29. **New Business for the Board of Trustees**.
Statement: Dr. Fishburne made a motion to suspend, until further notice, the stipend the Board receives for coming down for the meetings. Dr. Rowland asked to amend Dr. Fishburne’s motion to contribute the stipends to the Employee Furlough Relief Fund.

Board Action: A motion was made, seconded and unanimously voted for the Board to suspend receiving the stipend and donate that money to the Employee Furlough Relief Fund.

Item 30. Report from the Chairman.

Dr. Thomas stated the Board would need to have a phone call before the next board meeting to discuss the financial situation. He encouraged everyone to participate in the call to give their input.

There being no further business, the University meeting was adjourned.

Respectfully submitted,

[Signature]
Hugh B. Faulkner III
Secretary

/wcj
Attachments
Committee Members Present: Mr. William H. Bingham, Sr., Dr. Cotesworth P. Fishburne, Jr., (Chair), Mr. William B. Hewitt, Dr. Donald R. Johnson II, Dr. Paula E. Orr, Dr. Thomas C. Rowland, Jr., Mr. Thomas L. Stephenson, Esq., The Honorable Robin Tallon, Dr. James E. Wiseman, Jr.

Other Trustees Present: Dr. Stanley C. Baker, Jr., Mr. Melvin Berlinsky, Mr. Charles W. Schulze, Dr. Charles B. Thomas, Jr.

Others Present: Dr. Jeannette Andrews, Ms. Susan Barnhart, Ms. Annette Drachman, Mr. Jim Fisher, Mr. Dennis Frazier, Dr. Raymond S. Greenberg, Mr. William C. Hood, Dr. Arnold Karig, Dr. Mark Kindy, Ms. Sarah King, Dr. Stephen M. Lanier, Ms. Leigh Manzi, Dr. J.G. Reves, Ms. Margaret P. Schachte, Mr. Stuart Smith, Mr. Maurice Snook, Dr. Gail Stuart, Ms. Elizabeth Waters

Regular Agenda

Item 6. General Report of the Associate Provost for Research
Dr. Lanier highlighted two recent NIH grant reviews: (1) the Hollings Cancer Center Core Center Grant led by Dr. Andrew Kraft, Principal Investigator and HCC Director, and (2) the Medical Scientist Training Program (MD/PhD) led by Dr. Perry Halushka, Principal Investigator and Dean, College of Graduate Studies. While the respective institutes have not made final funding decisions for these two major grants, the reviews are optimistic. Dr. Lanier also confirmed that the fiber optic system, the South Carolina Light Rail, has been activated, connecting MUSC, the University of South Carolina and Clemson University to the National Lambda Rail. High-speed connectivity is important for future research growth, technological advancements in clinical care, and economic development. Dr. Lanier noted that extramural awards are slightly higher than at this time last year; however, NIH awards are slightly down at this point due to interim reduction of awards pending Congressional approval of the FY2009 Federal budget.

Dr. Lanier asked Dr. Gail Stuart, Dean of the College of Nursing, to introduce the presenter, Dr. Jeannette O. Andrews, Associate Professor of Nursing and Director of the Center for Community Health Partnerships (CCHP). The CCHP received board approval as a university center in March 2008. Its purpose is to coordinate and link MUSC’s efforts in community engagement and community-based participatory research, provide systems-level infrastructure and capacity, and promote mechanisms to institutionalize and sustain MUSC-community initiatives. The Scientific Advisory Board includes 15 interprofessional faculty and 2 community members. The Community Advisory Board has 20 community members who represent geographical constituencies as well as private, public and government organizations. With regard to education and training, the CCHP recently hosted a series of 8 Town Hall meetings on the social determinants of health, initiated the Community Engaged Scholars Program involving 5 pairs of faculty-community partners, and will host a national Summer Institute starting in 2010. With regard to community development, the CCHP is conducting an inventory of MUSC-community partnerships and will do targeted work with one rural and one urban community. With regard to discovery and translational efforts, the CCHP is conducting think tanks, interest groups, and pre-submission reviews of grant proposals, which have already led to submission of $15M in new extramural community-related proposals with successes to date generating >$5M in new awards.

Recommendation of Administration: That the report be received as information.
Recommendation of Committee: That the report be received as information.

Board Action:

Item 7. General Report of the Vice President for Development
Mr. Fisher noted that fundraising to date totals $26M, 40% above the mark in early December 2007. Furthermore, The Duke Endowment has approved a new award of $2.3M. Another $9M in new gifts and pledges are in the processed, making the projected total for 2008 at least $35M. The current total in the Capital Campaign is $245M. Mr. Fisher discussed “Fundraising during Turbulent Economic Times,” noting that philanthropy has declined in only one of the last 40 years in US history – in 1987 when the tax laws changed. The take-home message for fundraisers is to stay the course, keep in touch with constituents, and be optimistic but realistic.

On behalf of the MUSC Foundation, Dr. Fishburne noted that the MUSC Endowment investment returns, although negative, have significantly outperformed the market this year as of Oct. 31, 2008. The 5-yr return as of June 30, 2008 is +9.3%

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action:

Item 8. General Report of the Executive Director of the MUSC Foundation for Research Development
Mr. Hood reported that several medium-sized deals are in process. A company that executed a major deal last year expects to market a diagnostic tool based on MUSC technology by 2012, with potential to produce significant royalties for FRD and MUSC. Next week the president of Fuji’s Greenwood facility will tour MUSC in preparation for a March 2009 visit by the corporate head of Fuji Research & Development.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information.

Board Action:

Item 9. Other Committee Business – None at this time

CONSENT AGENDA ITEM FOR APPROVAL

Item 10. Approval of Nominees for the 2009-2010 MUSC Board of Visitors
Mr. Fisher confirmed that the Board of Visitors (BOV) will meet with the Board of Trustees for dinner this evening, and invited the Trustees to join the BOV for lunch tomorrow at 11:45 AM in the Gazes Conference Room. He noted that this is the last BOV meeting of the year. Nominations for the 2009 BOV are on the Consent Agenda. He raised the possibility of reconsidering the expense of hosting the Board of Visitors in light of current budgetary constraints. Discussion revealed that the fundraising associated with BOV membership during that past 8 years has provided an outstanding return on investment in addition to substantial goodwill for MUSC statewide. The Trustees expressed enthusiasm and endorsement for continuing the Board of Visitors.

Recommendation of Administration: That this be approved

Recommendation of Committee: That this be approved.

Board Action:
REGULAR AGENDA

Item 11. General Report of the Vice President for Academic Affairs

Statement:

Dr. Raymond briefly described the purpose of the John A. Colwell MUSC Diabetes Research Center, for which approval as a designated university center is being requested.

As a part of the outstanding educator series, Dr. Raymond introduced Dr. Lisa K. Saladin, Associate Professor and Interim Chair of the Department of Rehabilitation Sciences in the College of Health Professions, as an MUSC Master Teacher who gave an excellent presentation of her teaching philosophy. Drs. Sothmann and Raymond identified Dr. Saladin as one of our finest teachers and mentors. Her accomplishments as a teacher are impressive, as evidenced by her many outstanding awards. Dr. Saladin has been a member of the MUSC faculty since 1990. She received the College of Health Professions Teacher of the Year Award in 1992, the Health Sciences Foundation (HSF) Developing Teacher Award in 1995, the HSF Teaching Excellence Award in the Education/Lecturer category in 1998 and again in 2004. She received the Governor's Distinguished Professor Award in 1999.

Mr. Sheldon Bates briefly commented on student concerns regarding the ensuing State appropriation cuts in regards to possible tuition increases and the enforcement of campus policy on smoking. He updated the Board on an event hosted by the SGA in recognition and appreciation of the Facilities and Engineering staff.

Recommendation of Administration: That this report be received as information.

Recommendation of Committee: That this report be received as information

Board Action:

Item 12. Other Committee Business.

A. Item 15: Faculty Appointments

Statement: At the request of the Dean of the College of Medicine, administration presents for approval the following faculty appointments.

College of Medicine
Samir M. Fakhry, M.D., as Professor with tenure, on the Clinician Educator track, in the Department of Surgery, Division of General Surgery, effective January 1, 2009.

South Carolina College of Pharmacy
Anne P. Spencer, Pharm.D., as Clinical Associate Professor in the Department of Clinical Pharmacy and Outcome Sciences, effective December 1, 2008.
Recommendation of Administration: That these faculty appointment be approved.

Recommendation of Committee: That these faculty appointments be approved.

Board Action

B. University Center Designations

Statement: At the request of Dean of the College of Medicine, administration presents for approval, center designation for the following center, effective December 12, 2008.

John A. Colwell Diabetes Research Center

Recommendation of Administration: That university center designation be approved for the John A. Colwell Diabetes Research Center.

Recommendation of Committee: That university center designation be approved for the John A. Colwell Diabetes Research Center.

Board Action

(INFORMATIONAL ITEM)

C. Closure of the Communication Sciences and Disorders Program

Statement: At the request of the Dean of the College of Health Professions, administration presents as information the closing of the Communication Sciences and Disorders Program in the College of Health Professions, effective when the last matriculated student graduates or leaves the program. This program will no longer accept new students, effective immediately, and the College will support the present accredited CSD program until all current students graduate and receive their degree, which will be spring 2010.

Recommendation of Administration: That this be received as information.

Recommendation of Committee: Dr. O’Bryan requested that this item be discussed further at a future time.

Board Action

(INFORMATIONAL ITEM)

D. J. William Fulbright Scholar Award

Statement: At the request of the Dean of the College of Medicine, administration presents as information the approved request for paid professional leave for Ronald See, Ph.D., to represent the Medical University of South Carolina as a J. William Fulbright Scholar at the University of Ljubljana, Slovenia.

Recommendation of Administration: That this be received as information.
Recommendation of Committee: That this be received as information.

Board Action
EDUCATION, FACULTY AND STUDENT AFFAIRS COMMITTEE  CHAIRMAN: MR. MELVYN BERLINSKY
December 12, 2008

CONSENT AGENDA

Item 13. Conflict of Interest Policy.

Statement: Administration presents for approval the Unified Conflict of Interest Policy.

Recommendation of Administration: That the Unified Conflict of Interest Policy be approved.

Recommendation of Committee: That the Unified Conflict of Interest Policy be received as information.

Board Action

Item 14. Revisions to the South Carolina College of Pharmacy Memorandum of Understanding.

Statement: At the request of the Executive Dean of the South Carolina College of Pharmacy, administration presents for approval, revisions to the South Carolina College of Pharmacy Memorandum of Understanding, effective December 12, 2008.

Recommendation of Administration: That these revisions be approved.

Recommendation of Committee: That these revisions be approved.

Board Action

Item 15. Faculty Appointments

Statement: At the request of the deans of the Colleges of Dental Medicine, Medicine, and Nursing, and their respective Appointments, Promotions and Tenure Committees, administration presents for approval the following faculty appointments:

College of Dental Medicine

Peter M. Miller, Ph.D., (joint appointment) Professor, in the Department of Stomatology, Division of Oral Medicine, effective October 1, 2008.

Dr. Miller's primary appointment rests in the Department of Psychiatry and Behavioral Sciences, College of Medicine.

College of Medicine

Samir M. Fakhry, M.D., as Professor, on the Clinician Educator track, in the Department of Surgery, Division of General Surgery, effective January 1, 2009. Edward C. Jauch, M.D., as Associate Professor in the Department of Neurosciences, Division of Neurology, effective October 1, 2008.
Edward M. Kantor, M.D., as Associate Professor, on the Clinician Educator track, in the Department of Psychiatry and Behavioral Sciences, effective November 17, 2008.

Marga F. Massey, M.D., as Clinical Associate Professor in the Department of Surgery, Division of Plastic Surgery, effective December 1, 2008.

Martin Morad, Ph.D., (dual appointment) as Professor, on the Academic Investigator track, in the Department of Cell Biology and Anatomy, with a dual appointment as Professor, in the Department of Cell and Molecular Pharmacology and Experimental Therapeutics, effective October 1, 2008.

Dr. Morad will hold an Endowed Chair in the South Carolina Centers of Economic Excellence Center in Regenerative Medicine. In South Carolina, Dr. Morad will serve as the Director of the South Carolina Center for Cardiac Molecular Signaling, and will hold the University of South Carolina Centers of Economic Excellence “HSSC Endowed Chair in Cardiac Molecular Imaging”.

Paul C. Rousseau, M.D., as Associate Professor, on the Clinician Educator track, in the Department of Medicine, Division of General Internal Medicine, effective September 1, 2008.

James Allen Scardo, M.D., as Professor, MUSC AHEC (Spartanburg), effective October 1, 2008.

Stephen T. Vermillion, M.D., as Associate Professor, MUSC AHEC (Spartanburg), effective October 1, 2008.

Robert P. Whitehead, M.D., as Professor, on the Clinician Educator track, in the Department of Medicine, Division of Hematology/Oncology, effective August 1, 2008

College of Nursing

Laura K. Cousineau, M.L.S., (joint appointment) as Associate Professor in the Department of Nursing, effective November 1, 2008

Ms. Cousineau’s primary appointment rests in the Department of Library Science and Informatics.

Recommendation of Administration: That these faculty appointments be approved.

Recommendation of Committee: That these faculty appointments be approved.

Board Action

Item 16. Changes in Faculty Status

Statement: At the request of the deans of the Colleges of Dental Medicine, Health Professions and Medicine, and their respective Appointments, Promotions and Tenure Committees, administration presents for approval the following changes in faculty status.

College of Health Professions

David G. Askins, M.D., from Professor to Adjunct Professor in the Department of Health Professions, Division of Physician Assistant, effective July 1, 2008.

College of Medicine and Dental Medicine

Edward Balish, Ph.D., from Professor to Professor Emeritus in the Department of Microbiology and Immunology, effective October 1, 2008.
College of Medicine

Kenneth J. Bergmann, M.D., from Associate Professor to Adjunct Associate Professor in the Department of Neurosciences, Division of Neurology, effective October 1, 2008.

Paul M. Darden, II, M.D., from Professor to Clinical Professor, in the Department of Pediatrics, Division of General Pediatrics, effective December 1, 2008.

Ayad A. Jaffa, Ph.D., from Professor to Adjunct Professor in the Department of Medicine, Division of Endocrinology, effective August 1, 2008.

Gautham K. Suresh, M.D., from Associate Professor to Clinical Associate Professor in the Department of Pediatrics, retroactive to February 15, 2007.

Himanshu P. Upadhyaya, M.B.B.S., from Associate Professor to Adjunct Associate Professor in the Department of Psychiatry and Behavioral Sciences, effective August 1, 2008.

Gregory W. Warr, Ph.D., from Professor to Professor Emeritus, in the Department of Biochemistry and Molecular Biology, effective September 1, 2008.

Recommendation of Administration: That these recommendations for changes in faculty status be approved.

Recommendation of Committee: That these recommendation for changes in faculty status be approved.

Board Action:

Item 17. MUSC Trustees Leadership Academy Fellowship Nomination

Statement: Administration presents for approval, the following nomination for the MUSC Trustees Leadership Academy Fellowship, to be effective May 15, 2008.

Sheldon A. Bates, President, Student Government Association and student, College of Dental Medicine

Recommendation of Administration: That this nomination for the MUSC Trustees Leadership Academy be approved.

Recommendation of the Committee: That this nomination for the MUSC Trustees Leadership Academy be approved.

Board Action:
Mr. Schulze called the meeting to order.

**REGULAR Items**

**Item 18  Financial Status Report of the Medical University of South Carolina**

Mr. Patrick Wamsley presented the financial status of the University as of October 2008. Operating cash is down $18.8 million from the same period last year but should increase in December. The Statement of Revenues, Expenses and Changes in Net Assets reflects a $10.4 million decrease - a $20 million swing from the same period last year which reflects the state appropriations cut. The employee furloughs in the spring should help offset the loss. An additional cut of 7% or approximately $5.7 million is expected.

Mr. Schulze stated the University needs to cut expenses to preserve cash. Reserves should not be used as the new budget plans are prepared.

**Recommendation of Committee:** That this report be received as information.
Item 19  Financial Status Report of University Medical Associates

Mr. Mike Keels stated as of October 2008, UMA reported a loss of $12.7 million of which $8 million was non-operating due to an increase in the interest rate on bonds. The loss from operations was about $2 million partly due to an addition of 57 new faculty during the past year. The generation of new revenues has not caught up with the initial expenses of bringing on new faculty. UMA has about 192 days cash on hand; debt service coverage is 4.62 and an operating Margin of 14.3%.

Recommendation of Committee: That this report be received as information.

Item 20  Financial Status Report of the MUSC Foundation for Research Development

Ms. Janet Scarborough reported the financial results for the MUSC Foundation for Research Development as of October 2008. The results of operations for the period were a net gain of $10,000. An anticipated license payment of $500,000 will not be forthcoming this year as the licensee terminated the license pursuant to the terms of the agreement.

Recommendation of Committee: That this report be received as information

Item 21  Other Committee Business

Mr. Patrick Wamsley presented a resolution authorizing the University to enter into an Energy Performance Contract with AMERESCO, Inc. not to exceed $20,000,000 and to finance the Energy Performance Contract thought the State Master Lease Program for a term of 9 years.

Recommendation of Committee: That the resolution be approved.

Ms. Annette Drachman presented a resolution authorizing the execution and delivery of a use agreement among UMA, MUSC, and MUHA of the Rutledge Tower. The agreement states that MUHA and MUSC agree to use the Rutledge Tower building in accordance with the sublease and not to use the building for activities that would affect the tax exempt status of the bonds.

Recommendation of Committee: That the resolution be approved.

There being no further business, the meeting was adjourned

Respectfully submitted,

Celeste Jordan
MEDICAL UNIVERSITY OF SOUTH CAROLINA
BOARD OF TRUSTEES
DECEMBER 12, 2008

RESOLUTION

WHEREAS, the Medical University of South Carolina (the University) Board approved entering into an Energy Performance Contract with AMERESCO, Inc. not to exceed $20,000,000 in cost and with an energy-savings payback of 8 years at the October 3, 2008 Board Meeting.

WHEREAS, the project was approved by the JBRC on September 17, 2008 and by the Budget and Control Board on September 23, 2008.

WHEREAS, the University seeks approval to finance the contract through the State Master Lease Program over a nine (9) year term, which includes one year of capitalized interest and eight years of payments.

WHEREAS, the total cost of the work proposed is $15,387,340 and the total project cost will not exceed $20,000,000. Annual guaranteed savings are $2,469,444, with a total savings over the loan period totaling $20,119,263.

THEREFORE, IT IS RESOLVED that the University be authorized to finance the Energy Performance Contract through the State Master Lease Program for a term of (9) years.

Secretary to the Board of Trustees
A RESOLUTION

AUTHORIZING THE EXECUTION AND DELIVERY OF A USE AGREEMENT AMONG UNIVERSITY MEDICAL ASSOCIATES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, AND MEDICAL UNIVERSITY HOSPITAL AUTHORITY, AND OTHER MATTERS RELATED THERETO

WHEREAS, the South Carolina Jobs-Economic Development Authority ("JEDA") has been asked to issue not exceeding $115,000,000 South Carolina Jobs-Economic Development Authority Variable Rate Revenue Bonds (UMA Refinance Project) Series 2008 (the "Bonds"). Pursuant to a Loan Agreement (the "Loan Agreement"), JEDA will loan the proceeds of the Bonds to University Medical Associates of The Medical University of South Carolina ("UMA"), which promotes and supports the missions and purposes of The Medical University of South Carolina (the "University"), to be used for the following purposes ("the Project Purposes"): (i) to refund prior obligations of UMA and defray the costs related to financings and related refinancings (including the Refunded 1999A Bonds and the Refunded 1999B Bonds, which were auction rate securities) in connection with the previous acquisition, renovation, improvement, furnishing, and equipping of the health care facilities constituting the Rutledge Tower complex and related property (the "Project"), which was acquired and is owned by The Medical University of South Carolina Foundation (the "Foundation"), and leased by the Foundation to UMA, and is part of the campus of the University and the health care facilities of the Medical University Hospital Authority ("MUHA"), in the City of Charleston, South Carolina (the "City") and in Charleston County, South Carolina (the "County"), including the repayment of any funds, advances, or loans incurred by UMA related to such purposes; and (ii) to pay certain fees and expenses or other amounts which may be incurred in connection with the issuance of the Bonds and related obligations.

WHEREAS, the Project Purposes, as set forth above, include the refinancing of a portion of the cost of acquiring, constructing and equipping the Project, which is comprised of hospital facilities including a medical building known as Rutledge Tower, the Rutledge Tower Annex, and the parking garage and related property in the City owned by the Foundation, as such property is further described in the related lease between UMA and the Foundation (collectively, the "Medical Building").

WHEREAS, portions of the Medical Building have been subleased, respectively, to the University and to MUHA (collectively, the "Leased Property") under certain separate subleases (including any extensions or renewals thereof, collectively, the "Leases"), between UMA and the University and UMA and MUHA, respectively.

WHEREAS, pursuant to various agreements entered into in connection with the Bonds, UMA covenants to use and cause the use of the Medical Building (including the Leased Property) in the manner necessary to protect the federal tax exempt status of the interest on the Bonds.

WHEREAS the parties thereto acknowledge that the federal tax exempt status of the interest on the Bonds is dependent upon the permitted use of the Leased Property during the term of the Leases and prior to the payment of the Bonds.

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, AS follows, in a meeting duly noticed and assembled:

1. The President and the Vice President for Finance and Administration of the University (each an "Authorized Officer") shall be, and each are hereby, authorized and directed (singly or in
concert) to execute, enter into, and deliver, for and in the name and on behalf of the University, and, where necessary, under its corporate seal duly attested (i) the Use Agreement among UMA, the University and MUHA (the “Use Agreement”), and (ii) any other document or certificate related to use by the University of Rutledge Tower required in connection with the issuance of the Bonds. The Use Agreement shall be in substantially the form presented at this meeting, with such changes as an Authorized Officer, with advice of legal counsel for the University, shall approve. The execution of the Use Agreement by an Authorized Officer shall constitute conclusive evidence of such Authorized Officer’s and the Board’s approval thereof.

2. The Authorized Officers are hereby authorized and directed to do all such acts and things, to execute, acknowledge and deliver all such additional documents, to take such actions and to pay all fees, taxes, and expenses as may, in their discretion, be deemed necessary or desirable in order to carry out and comply with the terms and provisions of this Resolution and the transactions contemplated hereunder, and all of the acts and doings of the Authorized Officers which are in conformity with the intent and purposes of this Resolution and the transactions described herein, whether heretofore or hereafter taken or done, shall be, and the same are hereby in all respects, ratified, confirmed, and approved.

3. All prior resolutions of the Board of Directors of the University or any parts thereof in conflict with any or all of the foregoing Resolution are hereby repealed to the extent of such conflict.

I, the undersigned, being the duly qualified Secretary of the Board of Directors of The Medical University of South Carolina (the “University”) do hereby certify that the attached Resolution is a true, correct, and verbatim copy of “A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A USE AGREEMENT AMONG UNIVERSITY MEDICAL ASSOCIATES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, AND MEDICAL UNIVERSITY HOSPITAL AUTHORITY, AND OTHER MATTERS RELATED THERETO” adopted by the Board of Directors of the University at a meeting duly called and held on December ___, 2008, at which a quorum was present and acting throughout.

IN WITNESS WHEREOF, I have hereunto set my hand for delivery on the ____ day of December 2008.

___________________________
Secretary, Board of Directors of
The Medical University of South Carolina
Medical University of South Carolina
Audit Committee
December 11, 2008
Minutes

Attendees:

Thomas L. Stephenson, Esquire, Chair
Dr. Stanley C. Baker, Jr.
Mr. Melvyn Berlinsky
Dr. Cotesworth P. Fishburne, Jr.
Mr. William B. Hewitt
Dr. Donald R. Johnson, II
Dr. E. Conyers O’Bryan, Jr.
Dr. Paula Orr
Dr. Thomas C. Rowland, Jr.
Mr. Charles W. Schulze
The Honorable Robin M. Tallon
Dr. Charles B. Thomas, Jr.
Dr. James E. Wiseman, Jr.
Dr. Raymond S. Greenberg
Ms. Susan Barnhart

Ms. Jody O’Donnell
Ms. Annette Drachman
Ms. Susie Edwards
Mr. Dennis Frazier
Mr. Joe Good
Mr. Steve Hargett
Mr. Mike Keels
Ms. Lisa Montgomery
Dr. Jerry Reves
Ms. Janet Scarborough
Ms. Reece Smith
Mr. Stuart Smith
Mr. Steve Valerio
Mr. Patrick Wamsley

Mr. Stephenson called the meeting to order.

REGULAR Items

Item 25. MUSC External Audit Report

Mr. Brad R. Benton with KPMG provided an overview of the 2008 audit. MUSC received an unqualified opinion on the June 30, 2008 financial statements.

Recommendation of Committee: That the report be received as information.

Item 26. Report of Internal Auditor

Mr. Stephenson stated Ms. Barnhart had distributed a written copy of the audit reports and was available to answer any questions from the committee.

Recommendation of Committee: That the report be received as information.

Item 27. Other Business

There being no further business, the committee meeting was adjourned.

Respectfully submitted,

Celeste Jordan
Medical University of South Carolina  
Physical Facilities Committee  
December 11, 2008  
Minutes

Attendees:  
Mr. William H. Bingham, Sr., Chair  
Dr. Stanley C. Baker, Jr.  
Mr. Melvin Berlinsky  
Mr. William B. Hewitt  
Dr. Donald Johnson II  
Dr. Paula Orr  
Dr. E. Conyers O’Bryan, Jr.  
Dr. Thomas C. Rowland, Jr.  
Thomas L. Stephenson, Esquire  
The Honorable Robin M. Tallon  
Dr. Charles B. Thomas, Jr.  
Dr. James E. Wiseman, Jr.  
Dr. Raymond Greenberg  
Ms. Susan Barnhart  
Mr. John Cooper  
Ms. Annette Drachman  
Ms. Susie Edwards  
Mr. Dennis Frazier  
Mr. Steve Hargett  
Mr. Mike Keels  
Mr. John Malmrose  
Mr. Stewart Mixon  
Ms. Lisa Montgomery  
Ms. Jennifer Pearce  
Dr. John Raymond  
Dr. Jerry Reves  
Mr. Stuart Smith  
Mr. Maurice Snook  
Mr. Steve Valerio  
Mr. Patrick Wamsley

Mr. Bingham called the meeting to order.

REGULAR Items

Item 22. Update on Projects

Mr. John Malmrose presented an update on various University projects including the James B. Edwards College of Dental Medicine Building, the Drug Discovery Building and the Bioengineering Building.

Recommendation of Committee: Received as information.

Item 23. Other Committee Business

Mr. Malmrose stated Mr. Bingham, Dr. Baker, Dr. Rowland and Mr. Schulze had served on a Committee to select an architect for the CSB renovation project for neurosciences. The firm selected was Coast Architects from Charleston, SC.

Recommendation of Committee: That Coast Architects be approved to provide professional services for the CSB renovation for neurosciences.

Mr. Malmrose stated Mr. Bingham, Dr. Baker, Dr. Rowland and Mr. Schulze had served on a committee to select an architect to provide professional services for the Psych Institute Generator, ATS & Switchgear Replacement. The firm selected was Guy White Associates from Columbia, SC.
Recommendation of Committee: That the firm of Guy White be approved to provide professional services for the Psyche Institute Generator, ATS & Switchgear Replacement project.

CONSENT Items for Information:

Item 24. Facilities Contracts Awarded

The facilities contracts since the last board meeting were presented for information.

Recommendation of Committee: That this report be received as information.

With no further business, the meeting was adjourned.