



Dale R. Folwell, CPA
State Treasurer of North Carolina
DALE R. FOLWELL, CPA

**Special Board of Trustees Webinar
June 28, 2022
Minutes**

A special Microsoft Teams virtual meeting of the North Carolina State Health Plan for Teachers and State Employees (Plan) Board of Trustees was called to order by the Chair, Treasurer Dale R. Folwell, CPA, at 3:00 p.m. on Tuesday, June 28, 2022.

Board Members Present: Treasurer Dale R. Folwell, Judge Russell "Rusty" Duke, Cherie Dunphy, M.D., Wayne Fish, Kim Hargett, Donald Martin, Peter Robie, M.D.

Board Members Absent: Charles Perusse, Mike Stevenson

Welcome

Chair Folwell welcomed the Board and members of the public to the meeting. He reviewed the rules for conducting remote meetings.

- a. Board members shall announce their name when speaking.
- b. All chats, instant messages, texts, or other written communications between members of the public body regarding the transaction of the public business during the remote meeting are deemed a public record.
- c. All votes shall be by roll call.

Conflict of Interest

No conflicts of interest were noted.

Reading of SEI Statements into Minutes Pursuant to the Ethics Act § 138A-15(c)

No Statements of Economic Interest (SEI) were read into the minutes.

Public Comment

There were no requests from members of the public to address the board.

Board Vote to Move into Executive Session: Motion by Dr. Martin; second by Dr. Robie; roll call vote was taken; unanimous approval by Board to move into executive session pursuant to G.S. 143-318.11(a)(1) and (a)(3) and Chapter 132 to consult with legal counsel regarding the *Kadel* matter.

The Board met in executive session with State Treasurer Dale R. Folwell, CPA, Plan Executive Director, Dee Jones, Department General Counsel Ben Garner, and Department Assistant General Counsel Joel Heimbach. Mr. Garner discussed with the Board the federal court order issued by United States District Court Judge Loretta C. Biggs on June 10, 2022, in *Kadel v. Folwell*, under which the "Defendants are permanently enjoined from enforcing the Plan's exclusion" regarding

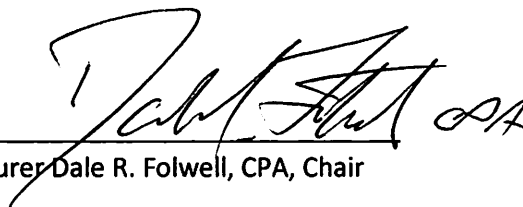
“treatment or studies leading to or in connection with sex changes or modifications and related care” and “are ordered to reinstate coverage for ‘medically necessary services for the treatment of gender dysphoria’” effective June 10, 2022. The Board voted to move out of executive session and return to open session.

Board Vote to Return to Open Session: Motion by Dr. Robie; second by Dr. Martin; roll call vote was taken; unanimous approval by Board to return to open session.

Adjournment

Board Vote: Motion by Dr. Martin; second by Dr. Robie; roll call vote was taken; unanimous approval by Board to adjourn the meeting at 4:30 p.m.

Minutes submitted by: Joel Heimbach, Secretary

Approved by:  SA
Treasurer Dale R. Folwell, CPA, Chair