



COMMONWEALTH of VIRGINIA

M. Norman Oliver, MD, MA
State Health Commissioner

Department of Health
P O BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

April 13, 2020

Mr. Nicholas C. Conte
Office of Corporate Counsel
Carilion Clinic
213 South Jefferson Street, Suite 1600
Roanoke, VA 24011

**RE: Carilion Medical Center d/b/a Carilion Roanoke Community Hospital
Carilion Giles Memorial Hospital
Temporary Variance Requests**

Dear Mr. Conte:

I am writing in response to your letters requesting approval of a temporary variance to the *Regulations for the Licensure of Hospitals in Virginia*, 12VAC5-410-10 *et seq.* 12VAC5-410-30 allows a temporary variance to the enforcement of specific provisions of the regulations “would be clearly impractical... provided that safety and patient care and services are not adversely affected.”

Carilion Medical Center d/b/a Carilion Roanoke Community Hospital (CRCH) is an inpatient hospital that has requested to add hospital beds pursuant to Executive Order 52, which will be located on CRCH’s 9th and 10th floors in former patient rooms. Carilion Giles Memorial Hospital (CGMH) is an inpatient hospital that has requested to add hospital beds pursuant to Executive Order 52, which would be located in an existing outpatient department and an existing post-anesthesia care unit (PACU). Under 12VAC5-410-650, hospitals must conform to state and local codes, zoning and building ordinances, and the Uniform Statewide Building Code, as well as hospital design and construction guidelines issued by the Facility Guidelines Institute (formerly the American Institute of Architects Academy of Architecture for Health).

I am authorizing a temporary variance to 12VAC5-410-650 for CRCH’s 9th and 10th floors and CGMH’s outpatient department and PACU because I find the standard in 12VAC5-410-30 is met. Requiring these areas be retrofitted to meet the standards of 12VAC5-410-650 during the COVID-19 pandemic is clearly impractical. A temporary variance to 12VAC5-410-650 for CRCH’s 9th and 10th floors and for CGMH’s outpatient department and PACU would

Mr. Nicholas C. Conte

April 13, 2020

Page 2

not adversely affect safety and patient care and services. This temporary variance will be effective as of April 13, 2020, and will expire 30 days after the expiration of rescission of Executive Order 51, as it may be amended. When this temporary variance expires, routine enforcement of the standard or requirement to which the temporary variance was granted shall be resumed.

If you need further assistance or have questions about this variance, please contact Mr. Robert A. K. Payne, JD, Director, Office of Licensure and Certification by telephone at (804) 367-2102 or by email at Robert.Payne@vdh.virginia.gov.

Sincerely,

DocuSigned by:

M. Norman Oliver, MD

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M. Norman Oliver, MD, MA
State Health Commissioner

cc: Allyson Tysinger, Senior Assistant Attorney General, Commonwealth of Virginia
Robert A. K. Payne, JD, Director, Office of Licensure and Certification
Deborah K. Waite, Operations Manager, Virginia Health Information
Noelle Bissell, Director, New River Health District
Laura P. Kornegay, MD, MPH, Acting Director, Roanoke City Health District