



# COMMONWEALTH of VIRGINIA

*Department of Health*  
PO BOX 2448  
RICHMOND, VA 23218

M. Norman Oliver, MD, MA  
State Health Commissioner

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

June 8, 2020

Ms. Karen J. Spencer  
Chief Executive Officer  
Virginia Eye Consultants & Virginia Surgery Center  
241 Corporate Boulevard  
Norfolk, Virginia 23502

**RE: COPN No. VA-04708**  
**Virginia Surgery Center, LLC Norfolk, Virginia**  
**Relocate an outpatient surgical hospital and add two ophthalmic operating rooms at Virginia Surgery Center**

Dear Ms. Spencer:

In accordance with Chapter 4, Article 1.1 of Title 32.1 of the Code of Virginia of 1950 (the Code), as amended, I reviewed the application and all supporting documents submitted by Virginia Surgery Center, LLC to relocate an outpatient surgical hospital and add two ophthalmic operating rooms at Virginia Surgery Center.

As required by Section 32.1-102.3B of the Code, I have considered all factors that must be taken into account in a determination of public need, and I have concluded that **conditional approval** of the request is warranted based on the following findings:

1. The project is generally consistent with the applicable criteria and standards of the State Medical Facilities Plan and the eight Required Considerations of the Code of Virginia.
2. A reasonable, less costly, more efficient alternative to the proposed project does not exist.
3. There is no known opposition to the project.
4. The applicant has adequately demonstrated an institutional need to increase capacity at Virginia Surgery Center.

This certificate is valid for the period June 8, 2020 through June 7, 2021. The total authorized capital cost of the project is \$2,298,725.

Ms. Karen J. Spencer  
COPN VA-04708  
June 8, 2020  
Page 2

Please file two copies of the application for a certificate extension with the Department no later than 30 days before the expiration date of the certificate. Part VIII of the Virginia Medical Care Facilities Certificate of Public Need Rules and Regulations identifies the filing requirements and review procedure for certificate extension requests.

Sincerely,

A handwritten signature in blue ink that reads "M. Norman Oliver MD". The signature is fluid and cursive, with the letters "M", "N", and "O" being particularly prominent.

M. Norman Oliver, MD, MA  
State Health Commissioner

Enclosures

cc: Allyson Tysinger, Senior Assistant Attorney General, Commonwealth of Virginia  
Erik Bodin, Director, Division of Certificate of Public Need  
Deborah K. Waite, Operations Manager, Virginia Health Information  
Demetria Lindsay, MD, District Director, Norfolk City Health District

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HEALTH  
MEDICAL CARE FACILITIES CERTIFICATE OF PUBLIC NEED

THIS CERTIFIES THAT Virginia Surgery Center, LLC is authorized to initiate the proposal as described below.

NAME OF FACILITY: Virginia Surgery Center, LLC

LOCATION: 200/220 Corporate Boulevard Norfolk, Virginia 23502

OWNERSHIP AND CONTROL: Virginia Surgery Center, LLC

SCOPE OF PROJECT: Relocate an outpatient surgical hospital and add two ophthalmic operating rooms at Virginia Surgery Center. The authorized Capital costs associated with this project total \$2,298,725. The project is expected to be completed by June 2021. This certificate is issued with the condition that appears on its reverse.



Pursuant to Chapter 4, Article 1:1 of Title 32.1, Sections 32.1-102.1 through 32.1-102.12 of the Code of Virginia (1950), as amended and the policies and procedures promulgated thereunder, this Medical Care Facilities Certificate of Public Need is issued contingent upon substantial and continuing progress towards implementation of the proposal within twelve (12) months from the date of issuance. A progress report shall be submitted to the State Health Commissioner within twelve (12) months from the date of issuance along with adequate assurance of completion within a reasonable time period. The Commissioner reserves the right not to renew this Certificate in the event the applicant fails to fulfill these conditions. This Certificate is non-transferable and is limited to the location, ownership, control and scope of the project shown herein.

Certificate Number: VA-04708

Date of Issuance: June 8, 2020

Expiration Date: June 7, 2021

  
M. Norman Oliver, MD, MA, State Health Commissioner

Virginia Surgery Center, LLC will provide surgical services to all persons in need of this service, regardless of their ability to pay, and will provide as charity care to all indigent persons free services or rate reductions in

services and facilitate surgical services to medically underserved persons in an aggregate amount equal to at least 5.1% of Virginia Surgery Center, LLC's total patient services revenue derived from surgical services provided at Virginia Surgery Center, LLC as valued under the provider reimbursement methodology utilized by the Centers for Medicare and Medicaid Services for reimbursement under Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. Compliance with this condition will be documented to the Division of Certificate of Public Need annually by providing audited or otherwise appropriately certified financial statements documenting compliance with the preceding requirement. Virginia Surgery Center, LLC will accept a revised percentage based on the regional average after such time regional charity care data valued under the provider reimbursement methodology utilized by the Centers for Medicare and Medicaid Services for reimbursement under Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq. is available from Virginia Health Information. The value of charity care provided to individuals pursuant to this condition shall be based on the provider reimbursement methodology utilized by the Centers for Medicare and Medicaid Services for reimbursement under Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.