



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

August 16, 2021

Ms. Emily W. G. Towey
Hancock, Daniel & Johnson P.C.
4701 Cox Road, Suite 400
Glen Allen, Virginia 23060

RE: COPN No. VA-04754

Clinch Valley Medical Center, Inc., Richlands, Virginia

Add one computed tomography scanner to be used for simulation with radiation therapy treatment

Dear Ms. Towey:

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 Clinch Valley Medical Center, Inc. to add one computed tomography scanner to be used for simulation with radiation therapy treatment.

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 proposed project is generally consistent with the applicable standards and criteria of the State Medical Facilities Plan and the Eight Required Considerations of the Code of Virginia.
2. The proposed project is more advantageous than the status quo.
3. There is no known opposition to the project.
4. The capital costs are reasonable for the type of project.

This certificate is valid for the period August 16, 2021 through August 15, 2022. The total authorized capital cost of the project is \$1,000,307.

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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,



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
E. Sue Cantrell, MD, Pharm, Acting District Director, Cumberland Plateau District

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

THIS CERTIFIES THAT Clinch Valley Medical Center, Inc. is authorized to initiate the proposal as described below.

NAME OF FACILITY: Clinch Valley Medical Center, Inc.

LOCATION: 6801 Governor G.C. Peery Highway, Richlands, Virginia 24641

OWNERSHIP AND CONTROL: Clinch Valley Medical Center, Inc.

SCOPE OF PROJECT: Add one computed tomography scanner to be used for simulation with radiation therapy treatment. Capital costs associated with this project total \$1,000,307. The project is expected to be completed by June 30, 2022. 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-04754

Date of Issuance: August 16, 2021

Expiration Date: August 15, 2022


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

Clinch Valley Medical Center will provide CT simulation 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 CT simulation services to medically underserved persons in an aggregate amount equal to at least 1.6% of Clinch Valley Medical Center's total patient services revenue derived from CT simulation services, 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. Clinch Valley Medical Center, Inc. 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.

Clinch Valley Medical Center will provide CT simulation services to individuals who are eligible for benefits under Title XVIII of the Social Security Act (42 U.S.C. § 1395 et seq.), Title XIX of the Social Security Act (42 U.S.C. § 1396 et seq.), and 10 U.S.C. § 1071 et seq. Additionally, Clinch Valley Medical Center, Inc. will facilitate the development and operation of primary and specialty medical care services in designated medically underserved areas of the applicant's service area.