



## COMMONWEALTH of VIRGINIA

Colin M. Greene, MD, MPH  
State Health Commissioner

Department of Health  
P O BOX 2448  
RICHMOND, VA 23218

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

June 13, 2022

Mr. Nathan C. Mortier  
Sands Anderson PC  
263 McLaws Circle, Suite 205  
Williamsburg, Virginia 23185

**RE: COPN No. VA-04791**  
**Virginia ENT Surgery Center, Inc.**  
**Richmond, Virginia**  
**Establish an outpatient surgical hospital with one operating room**

Dear Mr. Mortier:

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 ENT Surgery Center, Inc. to establish an outpatient surgical hospital with one operating room limited to ear, nose and throat (ENT) procedures.

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:

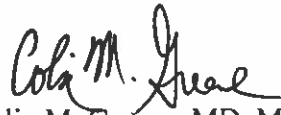
1. The proposed project is generally consistent with the applicable criteria and standards of the State Medical Facilities Plan and the Eight Required Considerations of the Code of Virginia.
2. The applicant has demonstrated a public need to provide dedicated ENT surgical services to ensure continuity of care and timely patient access.
3. The proposed project appears economically viable in the long-term.
4. There is no known opposition to the proposed project.
5. The project is more favorable than maintaining the status quo.

Mr. Nathan C. Mortier  
Virginia ENT Surgery Center, Inc.  
June 13, 2022  
Page 2

This certificate is valid for the period June 13, 2022 through June 12, 2023. The total authorized capital cost of the project is \$5,047,087.

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,



Colin M. Greene, MD, MPH  
State Health Commissioner

Enclosure

cc: Allyson Tysinger, Senior Assistant Attorney General, Commonwealth of Virginia  
Erik Bodin, Director, Division of Certificate of Public Need  
Deborah K. Waite, Chief Operating Officer, Virginia Health Information  
Elaine Perry, MD, MS, District Director, Richmond City Health District

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

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

NAME OF FACILITY: Virginia ENT Surgery Center, Inc.

LOCATION: 6600 West Broad Street, Suite 210, Richmond, Virginia 23230

OWNERSHIP AND CONTROL: Virginia ENT Surgery Center, Inc.

SCOPE OF PROJECT: Establish an outpatient surgical hospital with one operating room limited to ear, nose and throat procedures. Capital costs associated with this project total \$5,047,087. The project is expected to be completed by September 30, 2023. 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-04791

Date of Issuance: June 13, 2022

Expiration Date: June 12, 2023

Colin M. Greene, MD, MPH, State Health Commissioner

Virginia ENT Surgery Center, Inc. will provide surgical services to all persons in need of these services, regardless of their ability to pay, and will provide as charity care to all indigent persons free services or rate reductions in services and will facilitate the development and operation of primary medical care services to medically underserved persons in PD 15 in an aggregate amount equal to at least 1.5% of Virginia ENT Surgery Center, Inc.'s gross patient revenue derived from surgical services. 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 ENT Surgery 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 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.

Virginia ENT Surgery Center, Inc. will provide surgical care 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. Virginia ENT Surgery 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.