



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

January 9, 2023

Ms. Courtney Hein
200 Corporate Boulevard
Norfolk, Virginia 23502

RE: **COPN No. VA-04816**
Virginia Surgery Center, LLC, Norfolk, Virginia
Add One Restricted Use Ophthalmic Operating Room

Dear Ms. Hein:

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 add one restricted use ophthalmic operating room through the relocation of an existing operating room.

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:

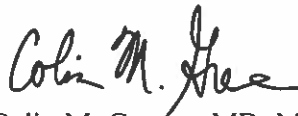
1. The project is generally consistent with the applicable criteria and standards of the State Medical Facilities Plan and the eight Required Considerations of the Code of Virginia.
2. The project will not add to the OR inventory in PD 20.
3. The project will add subspecialty access to PD 20.
4. The project is more favorable than the alternative of the status quo.
5. The project is financially feasible.
6. Approval of the proposed project is not likely to have a significant negative impact on existing providers of ophthalmic surgical services.

This certificate is valid for the period January 9, 2023 through January 8, 2024.
The total authorized capital cost of the project is \$351,391.

Courtney Hein
Virginia Surgery Center, LLC
January 9, 2023
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,



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
Sulola Adekoya, MD, MPH, Acting 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 Corporate Boulevard, Norfolk, Virginia 23502

OWNERSHIP AND CONTROL: Virginia Surgery Center, LLC

SCOPE OF PROJECT: Add one restricted use ophthalmic operating room through the relocation of an existing operating room. Capital costs associated with this project total \$351,391. The project is expected to be completed by February 7, 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-04816

Date of Issuance: January 9, 2023

Expiration Date: January 8, 2024

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

Virginia Surgery Center, LLC will provide ophthalmic 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 and specialty medical care services to medically underserved persons in PD 20 in an aggregate amount equal to at least 2.5% of Virginia Surgery Center, LLC's gross patient revenue derived from its surgery 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 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 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 Surgery Center, LLC will provide ophthalmic surgery 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.