



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

August 22, 2022

Mr. Peter Mellette
Mellette, PC
428 McLaws Circle, Suite 200
Williamsburg, Virginia 23185

RE: **COPN No. VA-04806**

**The Cardiovascular Group, PC d/b/a Virginia Heart, Falls Church, Virginia
Introduce PET/CT services with one fixed PET/CT scanner limited to cardiovascular
use**

Dear Mr. Mellette:

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 The Cardiovascular Group, PC to introduce PET/CT services with one fixed PET/CT scanner limited to cardiovascular use.

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 PET/CT scanner's use will be limited solely to cardiac imaging.
3. The CT functionality of the PET/CT scanner will only be utilized in conjunction with the PET functionality or to perform calcium scoring tests, as described in the application and Certificate.
4. The project will introduce beneficial competition without adversely affecting the existing provider of cardiac PET/CT services.
5. The project is more beneficial than the alternative of the status quo.

6. The capital costs are reasonable and consistent with the projects of this type.
7. The Health Systems Agency of Northern Virginia voted unanimously to recommend approval of the proposed project.

This certificate is valid for the period August 22, 2022 through August 21, 2023.
The total authorized capital cost of the project is \$2,491,617.

Please file two copies of the application for a certificate extension with the Department and one copy with the regional health planning agency 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
Gloria Addo-Ayensu, MD, MPH, District Director, Fairfax Health District

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

THIS CERTIFIES THAT The Cardiovascular Group, PC is authorized to initiate the proposal as described below.

NAME OF FACILITY: Virginia Heart

LOCATION: 2901 Telestar Court, Suite 300, Falls Church, Virginia 22042

OWNERSHIP AND CONTROL: The Cardiovascular Group, PC

SCOPE OF PROJECT: Establish PET/CT services with one fixed PET/CT scanner limited to cardiovascular use. The CT function may be used independently of the PET functionality only to perform calcium scoring tests (in addition to the CT's role when used with PET). Capital costs associated with this project total \$2,491,617. The project is expected to be completed by March 31, 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-04806

Date of Issuance: August 22, 2022

Expiration Date: August 21, 2023

Colin M. Greene

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

Cardiovascular Group, PC will provide cardiovascular PET/CT 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 facilitate the development and operation of primary care services to medically underserved persons in an aggregate amount equal to at least 3.4% of Cardiovascular Group, PC's total patient services revenue derived from cardiovascular PET/CT 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. Cardiovascular Group, PC 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.

Cardiovascular Group, PC will provide cardiovascular PET/CT 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. Additionally Cardiovascular Group, PC will facilitate the development and operation of primary and specialty medical care services in designated medically underserved areas of the applicant's service area.