



## 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

Mr. Matthew M. Cobb  
Williams Mullen  
200 South 10th Street, Suite 1600  
Richmond, Virginia 23219

RE: **COPN No. VA-04819**  
**Center for Visual Surgical Excellence, LLC**  
**Add one operating room for the purpose of ophthalmic related surgery**

Dear Mr. Cobb:

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 Center for Visual Excellence, LLC to add one operating room for the purpose of ophthalmic related surgery.

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 provide outpatient access to and area of PD 20 with high population growth and growth in high-demand age groups with barriers to access.
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.

Matthew M. Cobb  
Center for Visual Excellence, LLC  
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This certificate is valid for the period January 9, 2023 through January 8, 2024.  
The total authorized capital cost of the project is \$2,511,226.

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  
Nancy Welch, MD, MHA, MBA District Director, Chesapeake Health District

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF HEALTH

MEDICAL CARE FACILITIES CERTIFICATE OF PUBLIC NEED

THIS CERTIFIES THAT Center for Visual Surgical Excellence, LLC is authorized to initiate the proposal as described below.

NAME OF FACILITY: Center for Visual Surgical Excellence, LLC

LOCATION: 268 Carmichael Way, Chesapeake, Virginia 23322

OWNERSHIP AND CONTROL: Center for Visual Surgical Excellence, LLC

SCOPE OF PROJECT: Add one restricted use ophthalmic operating room. Capital costs associated with this project total \$2,511,226. The project is expected to be completed by January 8, 2024. 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-04819

Date of Issuance: January 9, 2023

Expiration Date: January 8, 2024

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

Center for Visual Surgical Excellence, 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 Center for Visual Surgical Excellence, 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. Center for Visual Surgical Excellence, 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.

Center for Visual Surgical Excellence, 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.