



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

February 9, 2023

Jamie Martin and Jennifer Ligon
Williams Mullen
200 South 10th Street, Suite 1600
Richmond, Virginia 23219

RE: **COPN No. VA-04831**
OrthoVirginia, Inc., Vienna, Virginia
Establish a specialized center for MRI imaging by relocating a mobile MRI and
converting it to a fixed site MRI

Dear Ms. Martin and Ms. Ligon:

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 OrthoVirginia, Inc. to establish a specialized center for MRI imaging by relocating a mobile MRI and converting it to a fixed site MRI at its Watkins Center practice.

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:

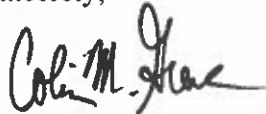
1. The proposed project is generally consistent with the applicable criteria and standards of the State Medical Facilities Plan and the Eight Required Considerations of the Code of Virginia with regard to the relocation of a mobile MRI and conversion to a new fixed site MRI service.
2. The proposed new fixed MRI site would serve only OrthoVirginia patients and not be used for general purpose diagnostics.
3. The capital costs are reasonable and compare favorably to similar approved projects in PD 15.
4. The proposed project is wholly feasible and has multiple advantages over the status quo. No other reasonable alternatives were identified.

5. There is no known opposition to the project.

This certificate is valid for the period March 10, 2023 through March 9, 2024.
The total authorized capital cost of the project is \$1,888,178.

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
Alexander Samuel, MD, MPH, District Director, Chesterfield Health District

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

THIS CERTIFIES THAT OrthoVirginia, Inc. is authorized to initiate the proposal as described below.

NAME OF FACILITY: OrthoVirginia MRI

LOCATION: Watkins Center area near the Intersection of Routes 60 and 288, Midlothian, Virginia, Planning District 15

OWNERSHIP AND CONTROL: OrthoVirginia, Inc.

SCOPE OF PROJECT: Establish a specialized center for MRI imaging by relocating aa mobile MRI and converting it to fixed. MRI is to be used exclusively for musculoskeletal imaging. Capital costs associated with this project total \$1,888,178. The project is expected to be completed by August 30, 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-04831

Date of Issuance: February 9, 2023

Expiration Date: February 8, 2024

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

OrthoVirginia, Inc. will provide MRI services to all persons in need of this service, regardless of their ability to pay, 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 1.3% of OrthoVirginia, Inc.'s gross patient revenue derived from MRI 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. OrthoVirginia, 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.

OrthoVirginia, Inc. will provide MRI 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, OrthoVirginia, 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.