



COMMONWEALTH of VIRGINIA

Karen Shelton, MD
State Health Commissioner

Department of Health
P O BOX 2448
RICHMOND, VA 23218

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

December 15, 2023

Erin S. Whaley
Troutman Pepper Hamilton Sanders, LLP
Troutman Pepper Building
1001 Haxall Point
Richmond, Virginia 23219

RE: **COPN No. VA-04868**
VCS Heart and Vascular Center, LLC
Richmond, Virginia
Establish an Outpatient Medical Care Facility with 1 Cardiac Catheterization Laboratory

Dear Ms. Whaley:

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 VCS Heart and Vascular Center, LLC to establish a freestanding medical care facility with one cardiac catheterization laboratory.

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 proposal to establish a specialized center for the provision of cardiac catheterization services at VCS Heart and Vascular Center is generally consistent with the applicable standards and criteria of the State Medical Facilities Plan and the 8 Required Considerations of the Code of Virginia.
2. There does not appear to be any less costly alternative to the proposed project.
3. The capital costs of the proposed project are reasonable.
4. The proposed project is unlikely to have a significant negative impact on the utilization, costs, or charges of other providers of cardiac catheterization services in PD 15.
5. The proposed project appears to be financially viable in the immediate and long-term.

Ms. Erin S. Whaley
VCS Heart and Vascular Center, LLC
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This certificate is valid for the period December 15, 2023 through December 14, 2024. The total authorized capital cost of the project is \$2,498,640.

Please file two copies of the application for a certificate extension with the Department 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,



Karen Shelton, MD
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 VCS Heart and Vascular Center, LLC is authorized to initiate the proposal as described below.

NAME OF FACILITY: VCS Heart and Vascular Center

LOCATION: 8007B Discovery Drive, Richmond, Virginia, 23229

OWNERSHIP AND CONTROL: VCS Heart and Vascular Center, LLC

SCOPE OF PROJECT: Establish a freestanding medical care facility with one cardiac catheterization laboratory. Capital costs authorized for this project total \$2,498,640. The project is expected to be completed by January 2025. 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-04868

Date of Issuance: December 15, 2023

Expiration Date: December 14, 2024

A handwritten signature in blue ink, appearing to read "Karen Shelton".

Karen Shelton, MD, State Health Commissioner

VCS Heart and Vascular Center, LLC will provide cardiac catheterization services to all persons in need of this service, 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 1.4% of VCS Heart and Vascular Center, LLC's total patient services revenue derived from cardiac catheterization 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. VCS Heart and Vascular 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 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.

VCS Heart and Vascular Center, LLC will provide cardiac catheterization 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. Additionally, VCS Heart and Vascular Center, LLC will facilitate the development and operation of primary and specialty medical care services in designated medically underserved areas of the applicant's service area.