



COMMONWEALTH of VIRGINIA

Department of Health
P O BOX 2448
RICHMOND, VA 23218

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

September 14, 2026

By Email

Daniel G. Glynn
Glynn Law & Associates
2755 Hartland Road, Suite 204
Falls Church, Virginia 22043

**RE: Certificate of Public Need (COPN) Request Number VA-8825
Virginia Beach Phillip Holdings LLC, and Virginia Plastic Surgery Center, LLC
City of Virginia Beach, Virginia
Establishment of an outpatient surgical hospital with two operating rooms**

Dear Mr. Glynn:

In accordance with Article 1.1 of Chapter 4 of Title 32.1 (§ 32.1-102.1 *et seq.*) of the Code of Virginia (the "COPN Law"), I have reviewed the application captioned above. As required by Subsection B of Virginia Code § 32.1-102.3, I have considered all matters listed therein in making a determination of public need under the COPN law.

I have reviewed and adopted the enclosed findings, conclusions, and recommended decision of the adjudication officer that convened an informal fact-finding conference on the application in accordance with the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*

Based on my review of the application and on the recommended decision of the adjudication officer, I am denying the application. I find that this project would not meet a public need.

The reasons for my decision include the following:

- (i) The project is inconsistent with the State Medical Facilities Plan;
- (ii) Virginia's PD 20 has a total inventory of 152 operational and approved ORs (including a sufficient number that provide surgery on an outpatient basis); this total includes a surplus of 22 ORs; approving two more ORs is not warranted;

- (iii) The two ORs sought would exhibit very low surgical volume, failing to justify the approval of two more iterations of these vital reviewable resources; and
- (iv) Maintaining the status quo in PD 20, where ample surgical capacity currently exists, is a reasonable alternative to the project.

In accordance with Rule 2A:2 of the Rules of the Supreme Court of Virginia, an aggrieved party to an administrative proceeding choosing to appeal a case decision must file, within 30 days after service of the case decision, a signed notice of appeal with "the agency secretary." I would consider such a notice sufficiently filed if it were addressed and sent to my attention at the Office of the State Health Commissioner, and timely received by that office, at the James Madison Building, Thirteenth Floor, 109 Governor Street, Richmond, Virginia 23219. Under the Rule, when service of a decision is "accomplished by mail," three days are added to the 30-day period.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Webb", with a stylized flourish at the end.

Dr. Cameron Webb
State Health Commissioner

cc:

Caitlin Pedati, MD, MPH, Director, Virginia Beach Health District
Deborah K. Waite, Virginia Health Information, Inc.
Allyson Tysinger, Esq., Senior Assistant Attorney General
Douglas R. Harris, JD, Adjudication Officer
Antwon Jacobs, Supervisor, Division of Certificate of Public Need (DCOPN)
Sharon Honaker, Project Review Analyst, DCOPN