



Finding of Fact

Certificate of Need (CON) Application Packet:

Project Name:	Carson Valley Medical Center (CVMC) Expansion
Project Address:	1107 Highway 395 North, Gardnerville, NV 89410
County:	Douglas
County Population:	49,082 (Department of Taxation, 2000 to 2020)
City/Town Population:	4,065
Number of Beds <i>(revised 5/10/21 for clarification):</i>	Increase Emergency Rooms from 5 to 12 beds, Operating Rooms (OR) from 2 limited to 3 full size ORs plus 2 procedure rooms, include private inpatient and ICU beds with addition of 2 inpatient beds
Organization Type:	Hospital
Application Contact:	Jeff Prater
Letter of Intent Contact:	Jeff Prater

Summary: Certificate of Need is a process whereby certain proposed new construction projects must submit an application to document the needs for the project according to criteria specified in state CON law and regulations, [NRS 439A.100](#) and [NAC 439A.010](#) through [NAC 439A.675](#). The CON reviews are conducted under the Primary Care Office and final determinations are made by the Director, Nevada Department of Health and Human Services.

Table of Contents

- Attachment A: Findings of Fact
- Attachment B: Letter of Intent
- Attachment C: Proof of Publication
- Attachment D: Hearing Summary and Minutes
- Attachment E: Hearing Presentations or Materials

Attachment A:

Finding of Fact – Carson Valley Medical Center Certificate of Need Application

Department of Health and Human Services

State of Nevada

I. Background

Date:	Action:
01/19/2021	DHHS received a Letter of Intent (LOI) (Attachment B) from applicant
01/27/2021	DHHS sent in reply a Letter of Determination (LOD) confirming that the project required a Letter of Approval application and subsequent Certificate of Need review process (within 15 days after receipt of LOI per NAC 439A.315)
02/11/2021	Preconference with applicants and DHHS (within 15 days after LOD per NAC 439A.335)
03/01/2021 (hand delivered)	DHHS received and acknowledged a CON application and fee of \$9,500 (within 60 days from LOD per NAC 439A.355)
03/10/2021	<p>Notice of Public Hearing (Attachment C) sent to all licensed healthcare facilities within applicant's proposed project area to receive public comment and give input on the project (within 15 days after application is submitted NAC 439A.389)</p> <p>Public Hearing Notice posted on Department of Health and Human Services, Division of Public and Behavioral Health, Primary Care Office's website at http://dpbh.nv.gov/Programs/PCO/PCO_Program_Public_Hearings_Workshops/</p>
3/10/2021	Notice of Public Hearing provided via email to Nevada Rural Health Partners and Nevada Hospital Association
3/10/2021	Notice of Public Hearing notice posted on Nevada Public Notice website at https://notice.nv.gov/
3/11/2021	Notice of Public Hearing to Health Care Quality and Compliance (HCQC) Health Facilities ListServ
4/2/2021	Presentation documentation from applicant received
3/12-4/2/2021	Submission of written information by person other than applicant (within 10 days before the date of Public Hearing per NAC 439A.395)
3/10/2021	DHHS provided notice of hearing procedures and logistics to applicant and those persons who have submitted written information (at least 5 days before the date of the hearing per NAC 439A.415)
4/14/2021	Public Hearing (period of review with public hearing no later than 45 days after the commencement of the period of review per NAC 439A.405; with Director issuing a decision within 30 days after close of the public hearing or extending the period of review for up to 15 days if not practicable to render a decision within scheduled period) held via Zoom Webinar in accordance with Governor Sisolak's Declaration of Emergency Directive 006; a summary and minutes of the hearing is provided under Attachment D

NAC 439A.445 states the decision of the Director for a letter of approval will be supported by written findings of fact which must include:

- A. Whether a need for the proposed project exists in the community;
- B. Whether the proposed project is financially feasible;
- C. The effect of the proposed project on the cost of health care; and
- D. The appropriateness of the proposed project in the community.

NAC 439A.455 requires the Director to respond to each application for approval or disapproval, together with a copy of the written findings of fact.

NAC 439A.565 states the applicant for a letter of approval has the burden of proof to satisfy all applicable criteria for review. A finding that the applicant has failed to meet its burden of proof regarding an applicable criterion will be made if the applicant fails to provide sufficient, relevant, demonstrative evidence for a favorable determination or the evidence on the record opposing the application outweighs the evidence in support of the application regarding the criteria. The written findings of fact address the review criteria.

Attachment B:

Letter of Intent

Department of Health and Human Services

State of Nevada

Attachment C:

Proof of Publication

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Attachment D:

Hearing Summary and Minutes

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Attachment E:

Hearing Presentation or Materials

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