



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

JOSH STEIN • Governor

DEV DUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

December 15, 2025

Virginia Jones  
vjones@valleygatedsc.com

**No Review – Qualified Urban Ambulatory Surgical Facility**

**Record #:** 5023  
**Date of Request:** December 3, 2025  
**Facility Name:** Valleygate Dental Surgery Center-Wilmington  
**Facility Address:** 1709 South 16<sup>th</sup> Street  
Wilmington NC 28401  
**Business Name:** Valleygate Dental Surgical Center, LLC  
**Business #:** 4033  
**Project Description:** Develop a qualified urban ambulatory surgical facility  
**County:** New Hanover

Dear Virginia Jones:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the development of a qualified urban ambulatory surgical facility. Pursuant to NCGS §131E-176(21a), a qualified urban ambulatory surgical facility is an ambulatory surgical facility that meets all of the following criteria:

- a. Is licensed by the Department to operate as an ambulatory surgical facility.
- b. Has a single specialty or multispecialty ambulatory surgical program.
- c. Is located in a county with a population greater than 125,000 according to the 2020 federal decennial census or any subsequent federal decennial census.

Based on the representation in your request and the CON law **in effect on the date of this response to your request**, the project as described is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office. **As a reminder, it is unlawful to offer or develop a new institutional health service without first obtaining a certificate of need. The Department reserves the right to impose sanctions, including civil penalties and the revocation of a license, upon any entity that**

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

LOCATION: 1915 Health Services Way, Raleigh, NC 27607  
MAILING ADDRESS: 1915 Health Services Way, 2704 Mail Service Center, Raleigh, NC 27699-2704  
www.ncdhs.gov/dhsr • TEL: 919-855-3873

**offers or develops a new institutional health service without first obtaining a certificate of need.**

Please do not hesitate to contact this office if you have any questions.

Sincerely,



Crystal Kearney  
Project Analyst



Micheala Mitchell  
Chief

cc: Acute and Home Care Licensure and Certification Section, DHSR  
Construction Section, DHSR  
Healthcare Planning, DHSR



**Delivered via Email**

December 3, 2025

Ms. Michaela Mitchell Chief Healthcare Planning and Certificate of Need Section  
Ms. Lisa Pittman, Assistant Chief, Certificate of Need Section  
Tanya Saporito CON Analyst  
Division of Health Service Regulation  
**915 Health Services Way,**  
**Raleigh, NC 27607**  
2712 Mail Service Center,  
Raleigh, NC 27699-2712  
Tanya Saporito" <tanya.saporito@dhhs.nc.gov

RE: Request for Determination of Non-Review for CON Review  
Project: Qualified Urban Ambulatory Surgical Facility Project,  
County: New Hanover  
City: Wilmington  
Address: 1709 South 16th Street  
Zip Code: 28401  
FID # TBD

Dear Ms. Mitchell, Ms. Pittman, and Ms. Saporito:

The purpose of this letter is to provide notice to the North Carolina Department of Health and Human Services, Division of Health Service Regulation ("DHHS"), Certificate of Need Section (the "CON Section").

Valleygate Dental Surgical Centers, LLC ("Valleygate") is asking that the Agency confirm that it can proceed to develop a Qualified Ambulatory Surgical Facility in Wilmington, New Hanover County, without obtaining a Certificate of Need. The proposed project at this address is either not reviewable as a new institutional health service under the North Carolina Certificate of Need ("CON") law or (in the alternative) exempt from review under the CON law's definition provisions in NCGS 131E-176(9b). It is not a health service facility. Because the expected capital cost is \$1.5 million for leasehold improvements and equipment, which is less than \$4.0 million, the exemption under NCGS 131E-176(16)b would not apply. It does meet the definition of Qualified Urban Ambulatory Surgical Facility in NCGS 131E-176(21a).

*An ambulatory surgical facility that meets all of the following criteria:*

- a. Is licensed by the Department to operate as an ambulatory surgical facility.*
- b. Has a single specialty or multi-specialty ambulatory surgical program.*



- c. *Is located in a county with a population greater than 125,000 according to the 2020 federal decennial census or any subsequent federal decennial census.*

## **I. THE TRANSACTION**

Valleygate proposes to develop and license a Qualified Urban Ambulatory Surgical Facility.

- a. The proposed program will be single specialty, offering dental/ oral surgical procedures and will be licensed in accordance with North Carolina licensure rules for Ambulatory Surgical Facilities in 10A NCAC 13C
- b. The 2020 U. S Census recorded the population of New Hanover County as 225,702. This exceeds the required 125,000 minimum.
- c. Valleygate commits that at least 4 percent of total earned annual revenue will be attributed to self-pay patients and Medicaid beneficiaries and agrees to report the exact amount annually to the Agency.

We believe this project qualifies for determination that this project is not reviewable under North Carolina CON laws and rules.

## **II. NEED/ EXEMPTION REQUIREMENT**

The project is needed because dentists serving Medicaid patients in New Hanover County are not priority customers in hospital or ambulatory surgical facilities. Most clients are children; and procedures are long and complicated. This letter serves as the required prior written notice.

## **III. CONCLUSION**

In light of the foregoing, your confirmation in writing is requested confirming that the proposed single specialty dental / oral surgery program at Valleygate Dental Surgery Center – Wilmington is “ exempt from CON review” or “is not reviewable,” so that Valleygate may proceed with licensure and certification with NC DHSR Acute Care Licensure and Certification Section.

Thank you for your help with this matter. If you require more information, please contact me as soon as possible at [vjones@valleygatedsc.com](mailto:vjones@valleygatedsc.com) .

Sincerely,

A handwritten signature in black ink that reads 'Virginia Jones'.

Virginia Jones, Chief Executive Officer  
Valleygate Dental Surgery Centers, LLC

CC: Micheala Mitchell, Lisa Pittman, Tanya Saporito, Azzie Conley, Tiffany Stancil

**From:** [Kelly Ivey](#)  
**To:** [Tanya, Saporito](#); [Stancil, Tiffany C](#); [Conley, Azzie](#)  
**Cc:** [Virginia Jones](#); [Nancy Lane](#)  
**Subject:** [External] QUASF Wilmington -- No-Review  
**Date:** Wednesday, December 3, 2025 10:57:05 AM  
**Attachments:** [QUASF Wilmington Letter DHR CON.pdf](#)

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Ms. Saporito,

Attached is a request for determination of non-review for CON submitted on behalf of our client, Valleygate Dental Surgery Center. Please respond to this email as confirmation of receipt.

Thanks,

*Kelly Ivey*  
[kivey@pda-inc.net](mailto:kivey@pda-inc.net)  
919.754.0303  
[www.pdaconsultants.com](http://www.pdaconsultants.com)

# PDA



*Take a Problem, Make it a Feature.*

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