



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 19, 2025

Vinod Jindal, MD & Bree Percy
Vjindal@ncophth.com

No Review – Qualified Urban Ambulatory Surgical Facility

Record #: 5033
Date of Request: December 10, 2025
Facility Name: New Century Ophthalmology, PC (NCO Eye Center)
Facility Address: 7901 ACC Blvd, Suites 200-201
Raleigh NC 27617
Business Name: New Century Ophthalmology, PC
Business #: 4034
Project Description: Develop a qualified urban ambulatory surgical facility
County: Wake

Dear Vinod Jindal, MD:

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
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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

From: [Mckillip, Mike](#)
To: [Kearney, Crystal](#)
Cc: [Stancil, Tiffany C](#)
Subject: RE: [External] Request for Determination – Certificate of Need (CON) Requirement for Development of Ambulatory Surgical Facility
Date: Thursday, December 11, 2025 12:09:07 PM
Attachments: [image001.png](#)

Hi Crystal,

Yes, I will copy Tiffany on this email so she can log it as a No Review-QUASF request and then you can prepare that letter. Thanks.

Mike

Michael McKillip

Team Leader, Certificate of Need
Division of Health Service Regulation, Healthcare Planning and Certificate of Need
[NC Department of Health and Human Services](#)

Office: 919-855-3877 (I am in the office on Wednesday and Friday. I can best be reached by email on Monday, Tuesday and Thursday.)
mike.mckillip@dhhs.nc.gov

Physical Address:

1915 Health Services Way, 2nd Floor
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2704 Mail Service Center
Raleigh, NC 27699-2704

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From: Kearney, Crystal <crystal.kearney@dhhs.nc.gov>
Sent: Thursday, December 11, 2025 11:58 AM
To: Mckillip, Mike <mike.mckillip@dhhs.nc.gov>
Subject: FW: [External] Request for Determination – Certificate of Need (CON) Requirement for

Development of Ambulatory Surgical Facility

Good morning/Afternoon

I tried to do some research with the additional information (see below) – Will this qualify as a QUASF?

Crystal Kearney

Project Analyst, Certificate of Need

Division of Health Service Regulations, Healthcare Planning and Certificate of Need

NC Department of Health and Human Services

Office: 919-855-3883 (I am in the office on Monday and Tuesday, and can best be reached by email)

Crystal.kearney@dhhs.nc.gov

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From: Vinod Jindal, MD <vjindal@ncophth.com>

Sent: Wednesday, December 10, 2025 3:57 PM

To: Kearney, Crystal <crystal.kearney@dhhs.nc.gov>

Cc: Bree Paz tomy <bapt2011@yahoo.com>

Subject: Re: [External] Request for Determination – Certificate of Need (CON) Requirement for Development of Ambulatory Surgical Facility

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Hi Crystal,

Thank you for your prompt response.

The current facility is New Century Ophthalmology, PC (NCO Eye Center), located at: [7901 ACC Blvd, Suites 200-201, Raleigh, NC 27617](#)

This location currently operates two Joint Commission-certified Office-Based Surgery (OBS) suites. Our goal is to convert this facility into an Ambulatory Surgical Center (ASC) focused on Ophthalmology and Oculofacial Plastic Surgery. This transition will allow us to provide more affordable, quality care to a wider range of patients.

Please let us know if you require any further information. We look forward to hearing from you.

Regards,
Vinod Jindal, MD

On Wed, Dec 10, 2025 at 3:16 PM Kearney, Crystal <crystal.kearney@dhhs.nc.gov> wrote:

Good Afternoon

Before I can respond, could you please provide the name and address of the facility.

Crystal Kearney

Project Analyst, Certificate of Need

Division of Health Service Regulations, Healthcare Planning and Certificate of Need

NC Department of Health and Human Services

Office: 919-855-3883 (I am in the office on Monday and Tuesday, and can best be reached by email)

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From: Bree Paz tomye <bapt2011@yahoo.com>

Sent: Wednesday, December 10, 2025 11:58 AM

To: Kearney, Crystal <crystal.kearney@dhhs.nc.gov>

Cc: Vinod Jindal, Jindal <vjindal@ncophth.com>

Subject: [External] Request for Determination – Certificate of Need (CON) Requirement for Development of Ambulatory Surgical Facility

You don't often get email from bapt2011@yahoo.com. [Learn why this is important](#)

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Good afternoon,

I am writing on behalf of New Century Ophthalmology, an organization currently accredited by The Joint Commission as an Office-Based Surgery (OBS) facility. We are preparing to transition to an Ambulatory Surgical Facility (ASF) and need to confirm our regulatory obligations before we move forward with licensure and any needed infrastructure needs.

Before we initiate any part of the process, we are formally requesting a determination from the CON Agency stating whether a Certificate of Need is required for the development of the ASF or not. This clarification is essential to ensure full compliance with state regulations and to avoid delays or missteps during planning, licensure, or update.

We respectfully request guidance on the steps needed to process this ASF determination request, including any required forms, documentation, or supporting materials. Our team is prepared to provide all necessary information promptly.

Thank you for your time and attention to this matter. We look forward to your response so we can proceed correctly and responsibly with this

transition.

Sincerely,

Bree Percy
New Century Ophthalmology

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