

Received by the
CON Section**Frisone, Martha**

From: Jim Swann [Jim.Swann@fmc-na.com]
Sent: Monday, November 01, 2010 4:41 PM
To: Frisone, Martha; Evans, Stephanie; Walters, Vickie L
Cc: Smith, Craig
Subject: Public Written Comments, CON Project ID # F-85780-10
Importance: High

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Please accept this brief email as Public Written Comment for the DVA Healthcare Renal Care Inc, proposal to relocate the DaVita Union County Dialysis facility.

The applicant has reported on page 3 of the application that it has surrendered the CON to relocate 10 dialysis stations intended to develop the Indian Trail Dialysis facility, CON Project ID # F-8240-08. Following that project, the applicant was approved to add two dialysis stations to the Union County Dialysis facility, CON Project ID # F-8399-09. Despite having surrendered the Indian Trail CON, the applicant proposes to retain the CON approving the addition of the two stations at its Monroe facility.

The application to add two stations to Monroe, F-8299-09, would not have demonstrated need for the 10 stations which it had proposed to relocate to Indian Trail. In essence, the applicant would only have proved need for 16 stations at its Monroe facility; in order to successfully retain the two station project, subsequent to the application to transfer 10 stations (which has now been surrendered) the applicant should have proven need for 26 stations.

The applicant had 24 stations.

The applicant proposed to relocate 10 stations to Indian Trail, leaving 14 stations in Monroe. The applicant proposed to add 2 stations for a total of 16 stations at Monroe. In order to retain the two stations, the applicant should have proven need for 26 stations at Monroe.

The applicant had other alternatives. The applicant could have applied to relocate the Monroe facility, and at the same time co-locate the Indian Trail project, add the two stations approved by F-8399-09, and add 4 stations by way of Facility Need Methodology as in the current application.

The applicant failed to appropriately plan for growth of the facility and should not be allowed to retain the two stations (F-8399-09) in as much as the applicant has not appropriately proven need.

Respectfully,

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