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William L. Hyland
Director of Healthcare Planning

DaVita "he/she that gives life"

October 31, 2011

Mr. Craig R. Smith, Chief
Certificate of Need Section
Division of Health Service Regulation
701 Barbour Drive
Raleigh, North Carolina 27603

RE: Project #L-8753-11/Bio-Medical Applications of North Carolina, Inc. d/b/a FMC
East Northampton County/Add three dialysis stations for a total of 19
stations/Northampton County

Dear Mr. Smith:

BMA offers a Certificate of Need application to add three stations to their East Northampton County dialysis center in response to the 10-station deficit of stations in Northampton County. The first observation is the name of the facility. The facility name indicates that it is located on the eastern side of Northampton County. In fact, the facility is located near the eastern boarder of the county, near Hertford County. There is no dialysis facility located in Northampton County for the patients living in those areas.

There are a significant number of patients living in central and western Northampton County who must travel outside of the county for their dialysis treatments. The dialysis patient population in Northampton County, specifically the western side of the county, deserves to have a dialysis facility nearer to their homes and in their county.

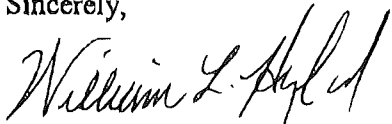
BMA is offering only to expand an existing facility. They offer no alternative to the majority of the patient population in Northampton County than to leave the county for their dialysis treatments. In fact, that is what the applicant is banking on. The applicant wants to dialyze these patients in Halifax County. The applicant is not looking out for the best interests of the patients who live in Gaston or Garysburg or Jackson. All of these patients and future patients will have to continue to find transportation to travel outside of the county for services.

The applicant states on page 16 of the application that Northampton County is a very rural county. One of the purposes of the CON Statute is to bring services to the rural counties. The applicant fails to see that the residents of Northampton County who are dialysis patients that are traveling outside of the county have a need for a dialysis facility

that is located in their home county and that is closer to their home than the existing facility. The applicant fails miserably to provide for the 10-station county need.

The comments above are not all inclusive of the many issues you will find with the FMC East Northampton County CON application.

Sincerely,

A handwritten signature in black ink, appearing to read "William L. Hyland". The signature is written in a cursive style with a large initial "W".

William L. Hyland
Director of Healthcare Planning