



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

MARK PAYNE
DIRECTOR

February 21, 2017

Catharine W. Cummer, Regulatory Counsel, Strategic Planning
Duke University Health System
3100 Tower Blvd, Suite 1300
Durham NC 27707

No Review

Record #: 2178
Facility Name: Duke University Hospital
FID #: 943138
Project Description: Renovation of Unit 7200 in Duke North
County: Durham

Dear Ms. Cummer:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your letter of February 20, 2017 regarding the above referenced proposal. Based on the CON law **in effect on the date of this response to your request**, the proposal described in your correspondence is not governed by, and therefore, does not currently require a certificate of need. However, please note that 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.

However, you need to contact the Agency's Construction Section to determine if they have any requirements for development of the proposed project.

It should be noted that this determination is binding only for the facts represented in your correspondence. Consequently, if changes are made in the project or in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office. Changes in a project include, but are not limited to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed.

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

WWW.NCDHHS.GOV

TELEPHONE 919-855-3873

LOCATION: EDGERTON BUILDING • 809 RUGGLES DRIVE • RALEIGH, NC 27603

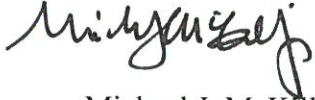
MAILING ADDRESS: 2704 MAIL SERVICE CENTER • RALEIGH, NC 27699-2704

AN EQUAL OPPORTUNITY/ AFFIRMATIVE ACTION EMPLOYER

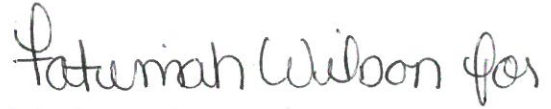


Please contact this office if you have any questions. Also, in all future correspondence you should reference the Facility ID # (FID) if the facility is licensed.

Sincerely,



Michael J. McKillip
Project Analyst



Martha J. Frisone
Assistant Chief, Certificate of Need

cc: Construction Section, DHSR
Paige Bennett, Assistant Chief, Healthcare Planning, DHSR

 **Duke University Health System**

Catharine W. Cummer
Regulatory Counsel, Strategic Planning

February 20, 2017

Via Electronic Mail

Michael J. McKillip, Project Analyst
Certificate of Need Section
Division of Health Service Regulation
2704 Mail Service Center
Raleigh, NC 27699-2704

Re: Exempt Renovation Project at Duke University Hospital/Unit 7200

Dear Mr. McKillip:

The purpose of this letter is to request the Section's written confirmation that a proposed renovation project at Duke University Hospital is not subject to certificate of need review. Duke proposes to renovate Unit 7200 to accommodate observation patients and/or inpatients. This will not lead to the addition of any beds to the hospital license. The cost of the project is less than \$2,000,000.

Duke previously sought a certificate of need for the renovation of Unit 7200 as part of a broader renovation project in the Duke North bed tower (Project ID J-10144-13). However, on May 20, 2014, Duke received a material compliance determination that it could renovate Unit 7700 instead of Unit 7200 as part of the approved project. The renovation of Unit 7700 is complete. However, the greater project is not yet complete as Duke continues to phase the renovation of existing operating rooms.

Now, Duke would like separately to renovate Unit 7200 to accommodate clinical needs. We believe that this new project is fundamentally distinct and independent from the renovation approved in J-10144-13 and modified by the material compliance determination. However, even if this were considered part of the earlier project, it would not increase the total cost of that project beyond 115% of the approved budget. It will not add any licensed beds, regulated assets, or new institutional health services.

We therefore seek a) confirmation that at a cost less than \$2,000,000, this renovation project does not constitute a new institutional health service for which a certificate of need is

Michael J. McKillip
February 20, 2017

required, and b) to the extent that such a determination is necessary and appropriate, a determination that this project is in material compliance with Project ID J-10144-13.

Thank you for your attention to this request. If you have questions about this information, please let me know.

Very truly yours,

A handwritten signature in cursive script that reads "Catharine W. Cummer".

Catharine W. Cummer



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt
Division Director

May 20, 2014

Catharine W. Cummer, Regulatory Counsel, Strategic Planning
Duke University Health System
3100 Tower Blvd, Suite 1300
Durham NC 27707

Material Compliance Approval

Project I.D. #: J-10144-13
Facility: Duke University Medical Center d/b/a Duke University Hospital
Project Description: Renovation of Duke North bed tower and operating room suite
County: Durham
FID #: 943138

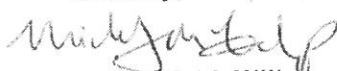
Dear Ms. Cummer:

In response to your letter of May 8, 2014 regarding the above referenced project, the Certificate of Need Section has determined that the proposed change is in material compliance with representations made in the application. These changes include the renovation of Unit 7700, rather than Unit 7200, to accommodate the cardiac critical care unit. However, you should contact the Construction Section of the Division of Health Service Regulation to determine if they have any requirements pertinent to the proposed change.

It should be noted that this Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this Agency and a separate determination.

If you have any questions concerning this matter, please feel free to contact this office. Please refer to the Project I.D. # and Facility I.D. # (FID) in all correspondence.

Sincerely,


Michael J. McKillip
Project Analyst


Martha J. Frisone, Interim Chief
Certificate of Need Section

cc: Construction Section, DHSR



Certificate of Need Section
www.ncdhhs.gov
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