



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

December 4, 2018

Catharine W. Cummer
3100 Tower Blvd., Suite 1300
Durham, NC 27707

Exempt from Review

Record #: 2797
Business Name: Duke University Health System, Inc.
Business #: 640
Project Description: Acquisition and installation of data processing equipment
County: Durham

Dear Ms. Cummer:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that based on your letter of November 30, 2018, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(3). Therefore, you may proceed to offer, develop or establish the above referenced project without a certificate of need.

However, you need to contact the Agency's Construction and Acute and Home Care Licensure and Certification Sections, DHSR 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 by you. 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 the Agency. 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.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Fatimah Wilson
Team Leader

Martha J. Frisone
Chief, Healthcare Planning and
Certificate of Need Section

cc: Construction Section, DHSR
Acute and Home Care Licensure and Certification Section, DHSR
Melinda Boyette, Administrative Assistant, Healthcare Planning, DHSR

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

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 2701 Mail Service Center, Raleigh, NC 27699-2701
www.ncdhhs.gov/dhsr/ • TEL: 919-855-3750 • FAX: 919-733-2757

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Bus # 640
Record # 2797

Waller, Martha K

From: Catharine Cummer <catharine.cummer@duke.edu>
Sent: Friday, November 30, 2018 10:16 AM
To: Frisone, Martha; Williams, Bernetta
Cc: Waller, Martha K
Subject: [External] DUHS storage software project



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Martha and Bernetta,

I am writing to provide the CON Section with notice of a Duke University Health System information technology project at a capital cost greater than \$2 million. DUHS is planning to purchase a four-year Dell EMC Transformational License Agreement (TLA) for Duke Health storage software. This is a system-wide project that will be used by and benefit not only DUHS but also Duke University, its medical and nursing schools, and the physician practices operated by the Private Diagnostic Clinic, PLLC.

To the extent that this project would be considered a new institutional health service given its capital cost, it is our understanding that it is exempt from certificate of need review as necessary for the acquisition and installation of data processing equipment. We would appreciate your confirmation of this understanding.

Please let me know if you have any questions about this project. Thank you very much.

Yours,
Catharine

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