

**Summary of Staff Recommendations
to the Technology and Equipment Committee
for the August 27, 2008 Meeting
related to Chapter 9 of
the Final 2009 SMFP**

A. Recommendations Related to Linear Accelerators:

It is recommended that the revised Table 9E be adopted. It is further recommended that there is no need based on the regular methodology for any additional linear accelerators anywhere in the State unless there are adjusted need determinations that are approved based on petitions.

There were two petitions.

Petitions:

Parkway Urology, PA, d/b/a Cary Urology PA (Cary Urology)

The Agency recommends denial of the petition, and inclusion in the final 2009 SMFP of a statewide need determination for one dedicated linear accelerator that shall be part of a demonstration project for a model multidisciplinary prostate health center focused on the treatment of prostate cancer, particularly in African American men.

Thomas and Brooks, PLLC

At this time, the Agency does not have sufficient information to determine if the inventory as shown in the "Proposed 2009 SMFP" incorrectly reflects the number of linear accelerators authorized under the CON Law. At such time as determinations are made by the CON Section, the linear accelerator inventory in the SMFP will be adjusted in accordance with Policy Gen-2, Item 2.h. Consequently, the Agency recommends denial of the petition.

B. Recommendations Related to Magnetic Resonance Imaging (MRI) Scanners

It is recommended that the revised Table 9J and revised Table 9L be adopted, and that Table 9K(5) be added. As indicated in Table 9L, there is a need for an additional MRI scanner in several MRI Scanner Service Areas. It is recommended that there is no need based on the regular methodology for any additional fixed MRI scanners anywhere else in the State, unless there are adjusted need determinations that are approved based on petitions.

There were two petitions.

Petitions:

Carolinas HealthCare Systems

The Agency recommends denial of the petition in its request for a change in Chapter 9 of the Proposed 2009 SMFP to include the following statement: "It is determined that there is no need for an additional mobile MRI scanner anywhere in the State." The Staff also recommends that the Technology and Equipment Committee, in the development of the 2010 SMFP, study the issues raised by the petitioner and the efficacy of a separate methodology for mobile MRI scanners.

Greensboro Orthopaedics, P.A.

The Agency notes that because of recent additional corrections to Table 9J, there is a need determination for a fixed MRI in Guilford County. Therefore, the petition is no longer applicable.

C. Recommendations Related to Positron Emission Tomography (PET) Scanners:

It is recommended that revised Table 9H be adopted. It is further recommended, as the methodology indicates, that there is no need for any additional fixed dedicated PET scanners anywhere in the State. It is recommended that there is no need for any mobile dedicated PET scanners anywhere in the State. It is recommended that there is no need for any additional coincidence circuitry anywhere in the State.

D. Recommendations Related to Lithotripsy:

It is recommended that no need exists for additional lithotripters anywhere in the State and that, apart from data updates, no substantive changes will be reflected in the Final 2009 SMFP.

E. Recommendations Related to Gamma Knife:

It is recommended that no need exists for an additional Gamma Knife anywhere in the State and that, apart from data updates, no substantive changes will be reflected in the Final 2009 SMFP.

F. Recommendations Related to Cardiac Catheterization Equipment

It is recommended that revised Table 9N and revised Table 9Q be adopted. It is recommended that no need exists for additional units of fixed cardiac catheterization equipment anywhere else in the State, and no other reviews are scheduled. It is recommended that there is no need for additional units of shared fixed cardiac catheterization equipment. It is recommended that it is further determined that mobile cardiac catheterization equipment and services shall only be approved for development on hospital sites.