



Healthcare Planning and Certificate of Need Section

**Acute Care Services Committee Minutes - DRAFT**

**September 17, 2019**

**10:00a.m. – 12 Noon**

**Brown Bldg. Room 104, Raleigh, N.C.**

**Members Present:** Dr. Sandra Greene, Christina Apperson, Rep. Gale Adcock, Allen Feezor, Dr. Charul Haugan, Kenneth Lewis, Dr. Robert McBride, Dr. Christopher Ullrich (*ex officio* – non-voting)

**Members Absent:** William (Brian) Floyd

**Healthcare Planning Staff Present:** Melinda Boyette, Elizabeth Brown, Amy Craddock, Tom Dickson, Andrea Emanuel, Trenesse Michael

**DHSR Staff Present:** Fatimah Wilson, Celia Inman

**Attorney General's Office:** Bethany Burgon

Agenda Items	Discussion/Action	Motions	Recommendations/ Actions
<b>Welcome &amp; Introductions</b>	Dr. Greene welcomed members, staff and visitors to the meeting. She acknowledged that the meeting was open to the public; however, discussions, deliberations, and recommendations would be limited to members of the Acute Care Services Committee and staff.		
<b>Review of Executive Order No. 46 and Executive Order No. 122</b>	<p>Dr. Greene reviewed Executive Orders 46 (<i>Reauthorizing the State Health Coordinating Council</i>) and 122 (<i>Extending the State Health Coordinating Council</i>) with committee members and explained procedures to observe before taking action at the meeting.</p> <p>Dr. McBride disclosed that he is an owner of Mallard Creek Surgery Center. Should any vote be taken specifically for that facility, he would recuse himself.</p>		
<b>Approval of May 7, 2019 Minutes</b>	A motion was made and seconded to approve the May 7, 2019 minutes.	Mr. Feezor Dr. McBride	Motion approved
<b>Acute Care Hospital Beds – Chapter 5</b>	<p>The Agency received no petitions or comments regarding acute care beds.</p> <p><b>IBM Watson Health Data Discrepancy Report</b> Dr. Andrea Emanuel presented “refreshed” IBM Watson Health data, which was received in August; it incorporates all data changes made by the hospitals, including corrections to IBM Watson Health and LRA data as a result of the draft discrepancy report presented at the May 7, 2019 meeting. Refreshed data did not change any need determinations. No vote is taken on this information item.</p> <p><b>Service Area Merge</b> Agency staff proposed the addition of text to Chapter 5 and Chapter 6 narratives to allow the</p>		

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	<p>creation of multicounty service areas when conditions outlined in G.S. 131E-77(e1) are satisfied. This proposal was prompted by Duke LifePoint’s licensing of Franklin Medical Center in Franklin County under the Maria Parham Hospital license in the adjacent Vance/Warren Service Area. After discussion, the Committee decided to revisit the addition of a statewide policy to Chapters 5 and 6 in a future meeting.</p> <p><i>Data Updates</i> Dr. Emanuel reported data updates to Table 5A.</p> <p><b><u>Committee Recommendation:</u></b> A motion was made and seconded to forward Chapter 5, Acute Care Hospital Beds, to the SHCC.</p>	Dr. McBride Dr. Haugan	Motion approved
<p><b>Operating Rooms – Chapter 6</b></p>	<p>The Agency received two petitions regarding operating rooms. Dr. Emanuel presented the Agency reports.</p> <p><b><i>Petition 1: Novant Brunswick Medical Center</i></b> The petitioners requested an adjusted need determination for two ORs in the Brunswick County Service Area.</p> <p><b><u>Committee Recommendation:</u></b> The Agency recommended denial of the petition for two ORs and instead recommended an adjusted need determination for one OR in Brunswick County. The Committee fully denied the petitioner’s request for additional ORs.</p> <p><b><i>Petition 2: Appalachian Regional Healthcare System</i></b> The petitioner requested to combine Avery and Watauga Counties into a single OR service area in the 2020 SMFP and subsequent SMFPs.</p> <p><b><u>Committee Recommendation:</u></b> The Agency recommended approval of the petition. A motion was made and seconded to accept the Agency’s recommendation.</p> <p><b><i>Single Specialty Ambulatory Surgery Facility Demonstration Projects</i></b> Dr. Emanuel provided the following update. (This presentation is for information purposes only; no vote is taken.)</p> <p><b>Mallard Creek Surgery Center in Mecklenburg County submitted its Year 5 report.</b> Mallard Creek Surgery Center received a license in May of 2014. Based on the review of the annual report, the Agency determined that Mallard Creek Surgery Center materially complies with the demonstration project criteria in Table 6D in the 2010 Plan and the conditions on the certificate of need. The facility has met all reporting requirements for the demonstration project.</p>	Dr. McBride Mr. Lewis  Mr. Feezor Rep. Adcock	Motion approved  Motion approved

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	<p>No vote was taken on this information item.</p> <p><b>Single Specialty Ambulatory Surgery Facility Demonstration Project Final Report.</b> Dr. Craddock reported on the results of the Single Specialty Ambulatory Surgery Facility Demonstration Project. The three demonstration sites were: Piedmont Outpatient Surgery Center in Forsyth County; Triangle Orthopaedic Surgery Center in Wake County; and Mallard Creek Surgery Center in Mecklenburg County.</p> <p><b>Committee Recommendation:</b> A motion was made and seconded to conclude the demonstration project and incorporate the inventory and procedures of the three demonstration sites into Chapter 6 of the SMFP. Note that Dr. McBride disclosed part ownership of Mallard Creek Surgery Center, but the Chair did not preclude him from voting on the demonstration project as a whole.</p> <p><i>Data Updates</i> Dr. Emanuel reported updates to data tables for ORs.</p> <p><b>Committee Recommendation:</b> A motion was made and seconded to forward Chapter 6, Operating Rooms.</p>	<p>Mr. Lewis Ms. Apperson</p> <p>Dr. McBride Mr. Lewis</p>	<p>Motion approved</p> <p>Motion approved</p>
<b>Other Acute Care Services – Chapter 7</b>	<p>The Agency received no petitions or comments in any of these areas. No updates to data were made after release of the <i>2020 Proposed SMFP</i>.</p> <p><b>Committee Recommendation:</b> A motion was made and seconded to forward Chapter 7, Other Acute Care Services, to the SHCC.</p>	<p>Mr. Feezor Rep. Adcock</p>	<p>Motion approved</p>
<b>Inpatient Rehabilitation Services – Chapter 8</b>	<p>The Agency received no petitions regarding inpatient rehabilitation services. No updates to data were made after release of the <i>2020 Proposed SMFP</i>.</p> <p><b>Committee Recommendation:</b> A motion was made and seconded to forward Chapter 8, Inpatient Rehabilitation Services, to the SHCC.</p>	<p>Ms. Apperson Dr. McBride</p>	<p>Motion Approved</p>
<b>End-Stage Renal Disease Dialysis Facilities – Chapter 9</b>	<p><b>Petition 3: UNC Hospitals</b> UNC Hospitals petitioned for an adjusted need determination for four outpatient dialysis stations in an acute care setting in Orange County.</p> <p><b>Committee Recommendation:</b> The Agency recommended and the Committee approved the petition, with the stipulation that Certificate of Need shall impose a condition requiring the approved applicant to document that it has applied for Medicare certification no later than three years from the effective date on the certificate of need.</p>	<p>Dr. McBride Ms. Apperson</p>	<p>Motion approved</p>



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	<p>b. New facilities and small facilities may be eligible to apply to add stations in one Category D.1 certificate of need review cycle. That is, a new facility may apply to add stations in any Category D.1 review cycle, but it can apply only once during the period that it is defined as a new facility (see Chapter 3). <u>A small facility may apply to add stations in any Category D.1 review cycle, but it can apply only once during a calendar year.</u></p> <p><b><u>Committee Recommendation:</u></b> The Committee approved Recommendation 1.</p> <p>2. The Agency recommends the inclusion of an adjusted need determination for up to 8 dialysis stations at the Statesville Dialysis Center of Wake Forest University in Iredell County in the 2020 SMFP.</p> <p><b><u>Committee Recommendation:</u></b> The Committee approved Recommendation 2.</p> <p>3. The Agency recommends the inclusion of an adjusted need determination for up to 8 dialysis stations at the Mt. Airy Dialysis Center of Wake Forest University in Surry County in the 2020 SMFP.</p> <p><b><u>Committee Recommendation:</u></b> The Committee approved Recommendation 3.</p> <p>4. The Agency recommends that for at least the first calendar year of implementation, Healthcare Planning will review data and comments received to determine whether adjustments are needed. Staff will report to the committee at the September 2020 meeting. At that time, the committee may decide that one year of review is sufficient or may ask for continued review of data and comments.</p> <p><b><u>Committee Recommendation:</u></b> The Committee approved Recommendation 4.</p> <p><b><u>Committee Recommendation:</u></b> A motion was made and seconded to forward Chapter 9 to the SHCC.</p>	<p>Mr. Lewis Dr. McBride</p> <p>Dr. McBride Mr. Feezor</p> <p>Mr. Lewis Dr. Haugan</p> <p>Dr. McBride Mr. Lewis Dr. Haugan Dr. McBride</p>	<p>Motion approved</p> <p>Motion approved</p> <p>Motion approved</p> <p>Motion approved</p> <p>Motion approved</p>
<b>Other Business</b>	<p>Fatimah Wilson reviewed the review schedule for applications involving Policy ESRD-2. No vote was taken on this information item.</p> <p><b><u>Committee Recommendation:</u></b> A motion was made and seconded to authorize staff to update tables and narratives as indicated and to forward all chapters to the SHCC.</p>	<p>Dr. Haugan Dr. McBride</p>	<p>Motion approved</p>

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	Dr. Greene reminded everyone that the SHCC would next meet on October 2, 2019 at 10:00 a.m. in Conference Room 104 of the Brown Building.		
<b>Adjournment</b>	There being no further business, Dr. Greene called for a motion to adjourn the meeting.	Mr. Feezor Dr. Haugan	Motion approved