

1 10A NCAC 14C .3703 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 14C .3703 PERFORMANCE STANDARDS**

4 ~~(a) An applicant proposing to acquire a dedicated PET scanner, including a mobile dedicated PET scanner, shall~~
5 ~~demonstrate that:~~

6 ~~(1) the proposed dedicated PET scanner, including a proposed mobile dedicated PET scanner, shall be~~
7 ~~utilized at an annual rate of at least 2,080 PET procedures by the end of the third year following~~
8 ~~completion of the project;~~

9 ~~(2) if an applicant operates an existing dedicated PET scanner, its existing dedicated PET scanners,~~
10 ~~excluding those used exclusively for research, performed an average of at least 2,080 PET~~
11 ~~procedures per PET scanner in the last year; and~~

12 ~~(3) its existing and approved dedicated PET scanners shall perform an average of at least 2,080 PET~~
13 ~~procedures per PET scanner during the third year following completion of the project.~~

14 ~~(b) The applicant shall describe the assumptions and provide data to support and document the assumptions and~~
15 ~~methodology used for each projection required in this Rule.~~

16 (a) An applicant proposing to acquire a fixed PET scanner pursuant to a need determination in the annual State
17 Medical Facilities Plan in effect as of the first day of the review period shall:

18 (1) identify the existing fixed PET scanners owned or operated by the applicant or a related entity and
19 located in the proposed fixed PET scanner service area;

20 (2) identify the approved fixed PET scanners owned or operated by the applicant or a related entity and
21 located in the proposed fixed PET scanner service area;

22 (3) identify the existing mobile PET scanners owned or operated by the applicant or a related entity that
23 provided services at host sites located in the proposed fixed PET scanner service area during the 12
24 months before the application deadline for the review period;

25 (4) identify the approved mobile PET scanners owned or operated by the applicant or a related entity
26 that will provide services at host sites located in the proposed fixed PET scanner service area;

27 (5) provide projected utilization of the PET scanners identified in Subparagraphs (a)(1) through (a)(4)
28 of this Paragraph and the proposed fixed PET scanner during each of the first three full fiscal years
29 of operation following completion of the project;

30 (6) provide the assumptions and methodology used to project the utilization required by Subparagraph
31 (a)(5) of this Paragraph; and

32 (7) project that the PET scanners identified in Subparagraphs (a)(1) through (a)(4) of this Paragraph
33 and the proposed fixed PET scanner shall perform 2,080 or more procedures per PET scanner during
34 the third full fiscal year of operation following completion of the project.

35 (b) An applicant proposing to acquire a mobile PET scanner pursuant to a need determination in the annual State
36 Medical Facilities Plan in effect as of the first day of the review period shall:

- 1 (1) identify the existing mobile PET scanners owned or operated by the applicant or a related entity that
2 provided services at host sites located in the proposed mobile PET scanner service area during the
3 12 months before the application deadline for the review period;
- 4 (2) identify the approved mobile PET scanners owned or operated by the applicant or a related entity
5 that will provide services at host sites located in the proposed mobile PET scanner service area
6 during the first three full fiscal years following completion of the project;
- 7 (3) identify the existing fixed PET scanners owned or operated by the applicant or a related entity and
8 located in the proposed mobile PET scanner service area;
- 9 (4) identify the approved fixed PET scanners owned and operated by the applicant or a related entity
10 and located in the proposed mobile PET scanner service area;
- 11 (5) identify the existing and proposed host sites for each mobile PET scanner identified in
12 Subparagraphs (b)(1) and (b)(2) of this Paragraph and the proposed mobile PET scanner;
- 13 (6) provide projected utilization of the PET scanners identified in Subparagraphs (b)(1) through (b)(4)
14 of this Paragraph and the proposed mobile PET scanner during each of the first three full fiscal years
15 of operation following completion of the project;
- 16 (7) provide the assumptions and methodology used to project the utilization required by Subparagraph
17 (b)(6) of this Paragraph; and
- 18 (8) project that the PET scanners identified in Subparagraphs (b)(1) through (b)(4) of this Paragraph
19 and the proposed mobile PET scanner shall perform 2,080 or more procedures per PET scanner
20 during the third full fiscal year of operation following completion of the project.

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22 *History Note: Authority G.S. 131E-177(1); 131E-183(b);*
23 *Temporary Adoption Eff. September 1, 1993 for a period of 180 days or until the permanent rule*
24 *becomes effective, whichever is sooner;*
25 *Eff. January 4, 1994;*
26 *Temporary Amendment Eff. January 1, 2002; January 1, 2001;*
27 *Amended Eff. August 1, 2002;*
28 *Temporary Amendment effective January 1, 2002 amends and replaces the permanent rule effective*
29 *August 1, 2002;*
30 *Temporary Amendment Eff. January 1, 2003;*
31 *Amended Eff. August 1, 2004; April 1, 2003;*
32 *Temporary Amendment Eff. January 1, 2005;*
33 *Amended Eff. November 1, 2005;*
34 *Temporary Amendment Eff. February 1, 2006;*
35 *Amended Eff. November 1, ~~2006-2006~~;*
36 *Readopted Eff. January 1, 2022.*