



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

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Secretary DHHS

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Division Director

November 5, 2013

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

**Exempt from Review**

Facility: Duke University Health System d/b/a Duke Regional Hospital  
Project Description: Acquisition of computer systems for wide area network optimization  
County: Durham  
FID #: 923142

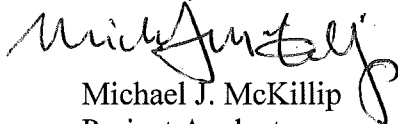
Dear Ms. Cummer:

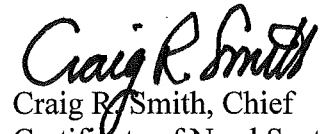
In response to your correspondence of October 7, 2013, the above referenced proposal is exempt from certificate of need review in accordance with N.C.G.S 131E-184(a)(3). Therefore, you may proceed to offer, develop or establish the above referenced project without a certificate of need.

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 Certificate of Need Section. 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,

  
Michael J. McKillip  
Project Analyst

  
Craig R. Smith, Chief  
Certificate of Need Section



Certificate of Need Section  
www.ncdhhs.gov  
Telephone: 919-855-3873 • Fax: 919-733-8139  
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Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704  
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mike

**Evans, Stephanie**

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**From:** Mckillip, Mike  
**Sent:** Monday, October 07, 2013 2:57 PM  
**To:** Evans, Stephanie  
**Subject:** FW: Prior Written Notice of Acquisition of Data Processing

Hi Stephanie,

Another request for exemption letter from Duke sent via e-mail. Thanks.

Mike

Michael McKillip  
N.C. Department of Health and Human Services  
Project Analyst, CON Section - Division of Health Service Regulation  
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[mike.mckillip@dhhs.nc.gov](mailto:mike.mckillip@dhhs.nc.gov)  
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**From:** Catharine Cummer [<mailto:catharine.cummer@duke.edu>]  
**Sent:** Monday, October 07, 2013 2:20 PM  
**To:** Mckillip, Mike  
**Cc:** Caroline Niblock  
**Subject:** FW: Prior Written Notice of Acquisition of Data Processing

Dear Mr. McKillip,

The purpose of this letter is to provide prior written notice of a project to be undertaken by the Duke University Health System at Duke Regional Hospital and to seek confirmation that this project does not require a certificate of need. Duke proposes to spend approximately \$1.4 million to address network infrastructure needs at the hospital. This Wide Area Network (WAN) optimization project will provide a reliable, scalable, sustainable, and secure network infrastructure. The network infrastructure will provide additional capabilities, such as Voice over Internet Protocol (VoIP), enterprise wireless, enable advanced physiological monitoring, optimize enterprise video conferencing and collaboration tools, as well as the new Duke Medicine Learning Management System (LMS). The network optimization will support the increasing adoption of wireless devices for business and clinical use, such as tablets and smartphones, while ensuring prime connectivity, security, and application response time, thereby supporting the implementation of the new EPIC electronic health record system at the hospital.

As this capital expenditure is to be used for the acquisition, development and implementation of an electronic health record system to collect and assemble information for use and analysis, and as the system will not provide any diagnostic or therapeutic services, we believe that this expenditure is similarly exempt from CON review as necessary "to provide data processing equipment." GS 131E-184(3).

We would appreciate it if you would review this request, and if the project qualifies, provide us confirmation of the exemption at your earliest convenience. If you need further information about the project, please let me know.

Thank you very much for your attention to this request.

Yours,

Catharine Cummer

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