



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

MARK PAYNE  
DIRECTOR

November 3, 2017

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

**Exempt from Review**

**Record #:** 2430  
**Facility Name:** Duke University Hospital  
**FID #:** 943138  
**Business Name:** Duke University Health System  
**Business #:** 640  
**Project Description:** Replace air handling unit and electrical substation  
**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 October 25, 2017, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(4). 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 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.

**HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION**  
WWW.NCDHHS.GOV

TELEPHONE 919-855-3873

LOCATION: EDGERTON BUILDING • 809 RUGGLES DRIVE • RALEIGH, NC 27603

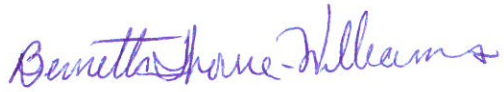
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AN EQUAL OPPORTUNITY/ AFFIRMATIVE ACTION EMPLOYER



Ms. Cummer  
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Sincerely,



Bernetta Thorne-Williams  
Project Analyst



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

cc: Construction Section, DHSR  
Acute and Home Care Licensure and Certification Section, DHSR  
Sharetta Blackwell, Program Assistant Healthcare Planning, DHSR

 **Duke University Health System**

**Catharine W. Cummer**  
Regulatory Counsel, Strategic Planning

October 25, 2017

Via Electronic Mail

Martha Frisone  
Chief, Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
2704 Mail Service Center  
Raleigh, NC 27699-2704



Re: Air handling unit and electrical substation replacements at  
Duke University Hospital

Dear Ms. Frisone:

On behalf of the Duke University Health System, I am writing to notify you of a project to be undertaken by Duke University Hospital in Durham ("DUH") and to request the Section's written confirmation that this project is exempt from certificate of need review.

DUH plans to spend more than \$2 million Duke University Hospital for the replacement of three aging electrical substations and associated switchgear located in the Duke North Ancillary Building, as well as three air handling units located in the Wadsworth Building (AHU-2), Children's Health Center (CHC-2), and Duke North Ancillary (AHU-9). The electrical substations, switchgear, and AHUs are all nearly 40 years old and are well past their useful life.

It is our understanding that this project is exempt from certificate of need review pursuant to Section 131E-184(4), as it is needed "[t]o provide parking, heating or cooling systems, elevators, or other basic plant or mechanical improvements, unless these activities are integral portions of a project that involves the construction of a new health service facility or portion therefor and that is subject to certificate of need review." This project is not integral to any other construction project that would otherwise require a CON.

Martha Frisone  
October 25, 2017

We would appreciate your review of this notice and confirmation of our understanding.  
Please let me know if you have any questions or if we can provide you any further information.



Very truly yours,

A handwritten signature in black ink that reads "Catharine W. Cummer". The signature is written in a cursive style.

Catharine W. Cummer