



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

October 13, 2020

Catharine Cummer, Regulatory Counsel, Strategic Planning
catharine.cummer@duke.edu

Exempt from Review

Record #: 3376
Facility Name: Duke Raleigh Hospital
FID #: 923421
Business Name: Duke University Health System, Inc.
Business #: 640
Project Description: Replace and relocate a chiller
County: Wake

Dear Ms. Cummer:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that based on your letter of September 30,2020, 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.

Sincerely,

[Handwritten signature of Michael J. McKillip]

Michael J. McKillip
Project Analyst

[Handwritten signature of Martha J. Frisone]

Martha J. Frisone
Chief

cc: Construction Section, DHSR
Acute and Home Care Licensure and Certification Section, DHSR
NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
https://info.ncdhhs.gov/dhsr/ • TEL: 919-855-3873



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

September 30, 2020

Via Electronic Mail

Ms. Martha Frisone  
Mr. Michael McKillip  
Certificate of Need Section  
Division of Health Service Regulation  
2704 Mail Service Center  
Raleigh, NC 27699-2704

Re: Exemption Notice/Duke Raleigh Hospital

Dear Ms. Frisone and Mr. McKillip:

The purpose of this letter is to provide notice of a project at Duke Raleigh Hospital and to request confirmation that it is exempt from certificate of need review. The hospital proposes to spend more than \$2 million to replace and relocate the existing chiller plant to a new location. The existing equipment is nearing the end of its useful life, and a new centralized chiller plant will enable higher efficiency, lower downtime risk, and be easier to access.

We understand that this project are exempt from certificate of need review pursuant to G.S. 131E-184(a)(4), which exempts projects “[t]o provide parking, heating or cooling systems, elevators, or other basic plant or mechanical improvements.”

Alternatively, this project may be exempt from certificate of need review pursuant to G.S. 131E-184(g). It will “renovate, replace on the same site, or expand the entirety or a portion of an existing health service facility that is located on the main campus,” defined in 131E-176(14n) as “[t]he site of the main building from which a licensed health service facility provides clinical patient services and exercises financial and administrative control over the entire facility, including the buildings and grounds adjacent to that main building” and “[o]ther areas and structures that are not strictly contiguous to the main building but are located within 250 yards of the main building.” This project does not relate to any change in licensed bed capacity or the addition of any health service facility or new institutional health services other than that allowed in GS 131E-176(b).

Ms. Martha Frisone  
Mr. Michael McKillip  
September 30, 2020

Please let me know if you have any questions about this project. We would appreciate your confirmation that it is exempt from further review.

Very truly yours,

*Catharine W. Cummer*

Catharine W. Cummer

**From:** [Catharine Cummer](#)  
**To:** [Waller, Martha K](#)  
**Cc:** [Lara Orgain](#)  
**Subject:** [External] To State Exemption Notice DRAH chiller plant 2020.docx  
**Date:** Wednesday, September 30, 2020 3:05:55 PM  
**Attachments:** [To State Exemption Notice DRAH chiller plant 2020.docx](#)

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Martha,  
Please see the attached exemption notice from Duke Raleigh Hospital. Thank you!

Catharine

Catharine Cummer  
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[catharine.cummer@duke.edu](mailto:catharine.cummer@duke.edu) | [DukeHealth.org](http://DukeHealth.org) | (919) 668-0857 (office) | (919) 423-6928 (cell)



In support of Duke Health's values,  
I stand for Black lives and against systemic racism.