



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

February 16, 2023

Nicole Moore

nsmoore@wakehealth.edu

Exempt from Review

Record #: 4135
Date of Request: January 12, 2023
Facility Name: Davie Medical Center
FID #: 080175
Business Name: Davie Medical Center
Business #: 596
Project Description: Develop minor procedure room on main campus
County: Davie

Dear Ms. Moore:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that the above referenced proposal is exempt from certificate of need review in accordance with G.S. 131E-184(g). 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 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,

Gregory F. Yakaboski
Project Analyst

Micheala Mitchell
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

September 12, 2022

Ms. Micheala Mitchell, Chief
Mr. Greg Yakaboski, Analyst
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
2704 Mail Service Center
Raleigh, NC 27699-2704

Re: Davie Medical Center (FID # 080175 Lic # H0171) Request for No Review Determination; Minor Procedure Room Development

Dear Ms. Mitchell and Mr. Yakaboski,

I am writing to request confirmation that the project described below for Davie Medical Center (“DMC”) is not subject to certificate of need (“CON”) review and that DMC does not need to obtain a CON prior to developing this project.

Davie Medical Center plans to develop a third minor procedure room, located within the main campus of DMC. The expected capital cost to develop this minor procedure room is \$2.3 million. Please reference **Exhibit 1** for the capital cost and **Exhibit 2** for line drawings of the proposed project.

NC General Statute § 131E-178 (a) states that “no person shall offer or develop a *new institutional health service* without first obtaining a certificate of need from the Department”. NC General Statute § 131E-176 (16) provides the definition of a *new institutional health service*. The development of minor procedure rooms is not explicitly considered a new institutional health service pursuant to § 131E-176 (16); however, capital expenditures exceeding four million dollars to develop or expand a health service do require a certificate of need.

While the addition of a minor procedure room at DMC complies with the definition of a health service in § 131E-176 (9a), it does not meet the definition of a *new institutional health service* in § 131E-176 (16), as the capital cost is below the four-million-dollar threshold set forth in the statute. As such, DMC believes this project is not subject to CON review and that DMC does not need to obtain a CON prior to developing the third minor procedure room.

DMC respectfully requests that the CON Section confirm that, based on the facts stated above as well as the information included in the Exhibits, the development of a third minor procedure room at DMC does not require a CON.

Please let me know if you have any questions or if additional information is needed.

Sincerely,



Anna Mickleberry
AVP, Strategy, Regulatory Planning, and Business Development
Telephone Number 336-608-7460
Email address apost@wakehealth.edu

Facilities Planning Construction Project Budget

Exhibit 1

Executive Summary

Project Name	DMC Minor Procedure 2163		
Location	Davie Medical Center, Floor 2		
FP&C Proj # JazzID CAPID	2022.050	TBD	TBD
Date	July 4, 2022		
Estimator/Project Manager	Patrick Welsh		
SF	814		
Acres	0.00		
Pricing Methodology	3 Concept Budget (level C)		



Input Entry Fields
Formula or Linked Field

					Fiscal Year Cash Flow				
Capital Expense	Task	Total	\$/SF or /Acre	% of Total	Previous FYs Spend	CY22	CY23	CY24	CY25
BLDG	Site	10	-	-	-	-	-	-	-
BLDG	Construction	20	524,900	644.84	24.4%	-	524,900	-	-
CPEQUP	Equipment	30	1,114,000	1,368.55	51.7%	-	1,114,000	-	-
CPFURN	Interiors	35	-	-	-	-	-	-	-
CPTELC	IAS	40	100,000	122.85	4.6%	-	100,000	-	-
BLDG	Security	45	15,000	18.43	0.7%	-	15,000	-	-
DEV	Charged Labor	50	-	-	-	-	-	-	-
PROFSV	Professional Fees	60	259,400	318.67	12.0%	-	178,270	81,130	-
DEV	Admin Fees	70	1,700	2.09	0.1%	-	1,700	-	-
CONTG	Contingency	80	139,300	171.13	6.5%	-	26,260	113,040	-
DEV	Job (Engineering)	90	-	-	-	-	-	-	-
CAPEX Totals		2,154,300	2,646.56	100.0%	-	206,230	1,948,070	-	-

(w/o Land)

One-Time Operating Expense	Task	Total	\$/SF	% of Total	Previous FYs Spend	CY22	CY23	CY24	CY25
EXTELC	Equipment	30	55,100	67.69	91.7%	-	55,100	-	-
EXFURN	Interiors	35	5,000	6.14	8.3%	-	5,000	-	-
EXEQUP	IAS	40	-	-	-	-	-	-	-
RELOC	Admin Fees	70	-	-	-	-	-	-	-
CONTG	Contingency	80	-	-	-	-	-	-	-
OPEX Totals		60,100	73.83	100.0%	-	-	60,100	-	-
Grand Total CAPEX & OPEX		2,214,400	2,720.39	200.0%	-	206,230	2,008,170	-	-

Total Capital Expense	2,154,300
Total One-Time Operating Expense	60,100
Grand Total Investment	2,214,400

From: [Nicole Moore](#)
To: [Waller, Martha K](#); [Yakaboski, Greg](#); [Stancil, Tiffany C](#)
Cc: [Matthew A. Fisher \(mfisher@bakerdonelson.com\)](#); [Anna Post Mickleberry](#)
Subject: [External] RE: RE: DMC (FID # 080175) Request Confirmation on Procedure Room No Review
Date: Thursday, January 12, 2023 9:30:19 AM
Attachments: [DMC Minor Procedure Room.pdf](#)

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Thank you for your prompt response Martha.

Tiffany, We will like to make this a current request to initiate processing.. Please find the attached request for No Review Determination; Minor Procedure Room Development. Please advise if additional information is needed. Thank you!!!

Warm Regards,
Nicole

Nicole Moore, MBA

Director, Regional Strategy and Planning
Growth, Strategy & Business Development – Atrium Health Wake Forest Baptist
Medical Center Boulevard | Winston-Salem | NC | 27157
Office: 336-716-6968 | Cell: 469-831-6587

From: Waller, Martha K <martha.waller@dhhs.nc.gov>
Sent: Thursday, January 12, 2023 9:21 AM
To: Nicole Moore <nsmoore@wakehealth.edu>; Yakaboski, Greg <greg.yakaboski@dhhs.nc.gov>
Cc: Matthew A. Fisher (mfisher@bakerdonelson.com) <mfisher@bakerdonelson.com>; Anna Post Mickleberry <apost@wakehealth.edu>; Stancil, Tiffany C <Tiffany.Stancil@dhhs.nc.gov>
Subject: RE: [External] RE: DMC (FID # 080175) Request Confirmation on Procedure Room No Review

WARNING: This email originated from outside of Atrium Health (martha.waller@dhhs.nc.gov). **DO NOT** click links or open attachments unless you know and trust the sender. **NEVER** provide your password to anyone, and use the Squish the Phish button to report any suspicious email.

This request has no record of receipt on the Correspondence Log in September...

If you would like to make it current request, please let us know & it will be logged for County Analyst to complete response. You can return a current request to Tiffany Stancil (email above) to begin processing. Thanks.

From: Nicole Moore <nsmoore@wakehealth.edu>

Sent: Wednesday, January 11, 2023 5:00 PM

To: Yakaboski, Greg <greg.yakaboski@dhhs.nc.gov>

Cc: Matthew A. Fisher (mfisher@bakerdonelson.com) <mfisher@bakerdonelson.com>; Anna Post Mickleberry <apost@wakehealth.edu>; Stancil, Tiffany C <Tiffany.Stancil@dhhs.nc.gov>; Waller, Martha K <martha.waller@dhhs.nc.gov>

Subject: [External] RE: DMC (FID # 080175) Request Confirmation on Procedure Room No Review

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Hi Greg,

The attached request has fallen off my radar and I wanted to follow up on the status. Please advise if you need additional information from us.

Warm Regards,
Nicole

Nicole Moore, MBA

Director, Regional Strategy and Planning
Growth, Strategy & Business Development – Atrium Health Wake Forest Baptist
Medical Center Boulevard | Winston-Salem | NC | 27157
Office: 336-716-6968 | Cell: 469-831-6587

From: Nicole Moore

Sent: Monday, September 12, 2022 3:45 PM

To: greg.yakaboski@dhhs.nc.gov

Cc: Matthew A. Fisher (mfisher@bakerdonelson.com) <mfisher@bakerdonelson.com>; Anna Post Mickleberry <apost@wakehealth.edu>

Subject: DMC (FID # 080175) Request Confirmation on Procedure Room No Review

Hi Greg,

Please find the attached letter for Davie Medical Center requesting confirmation of no review for development of a minor procedure room. Please let us know if you need anything else. Thank you!

Warm regards,
Nicole

Nicole Moore, MBA

Strategy & Planning Manger
Growth, Strategy, and Business Development
Medical Center Boulevard | Winston-Salem | NC | 27157
Office: 336-716-6968 | Cell: 469-831-6587

Atrium Health

***Wake Forest Baptist Health is now
Atrium Health Wake Forest Baptist***

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