



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

January 19, 2023

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

Exempt from Review – Replacement Equipment

Record #: 4113
Date of Request: January 11, 2023
Facility Name: Duke University Hospital
FID #: 943138
Business Name: Duke University Health System, Inc.
Business #: 640
Project Description: Temporarily replace a CT scanner with an existing research CT scanner
County: Durham

Dear Ms. Cummer:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that the above referenced project is exempt from certificate of need review in accordance with G.S. 131E-184(7). Therefore, you may proceed to utilize without a certificate of need the existing research CT scanner (designated as C3) to temporarily replace the GE Lightspeed CT scanner in the emergency department. This determination is based on your representations that the existing C3 CT scanner will be designated as a research scanner following installation of the permanent replacement CT scanner and will not be used again in the State without first obtaining a certificate of need if one is required.

It should be noted that the Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this office and a separate determination. 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
Team Leader

[Handwritten signature of Micheala Mitchell]

Micheala Mitchell
Chief

cc: Acute and Home Care Licensure and Certification Section, DHSR
Radiation Protection 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

From: [Mckillip, Mike](#)
To: [Catharine Cummer](#)
Cc: [Stancil, Tiffany C](#)
Subject: RE: [External] Temporary replacement
Date: Thursday, January 12, 2023 12:34:18 PM

Thanks, Catharine. I will copy Tiffany on this reply so she can log it in as an equipment replace exemption request.

Mike

Michael McKillip

Team Leader, Certificate of Need
Division of Health Service Regulation, Healthcare Planning and Certificate of Need
[NC Department of Health and Human Services](#)

Office: 919-855-3877 (I am in the office on Wednesday and Friday, and can best be reached by email on Monday, Tuesday and Thursday.)
mike.mckillip@dhhs.nc.gov

809 Ruggles Drive, Edgerton
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From: Catharine Cummer <catharine.cummer@duke.edu>
Sent: Wednesday, January 11, 2023 11:44 AM
To: Mckillip, Mike <mike.mckillip@dhhs.nc.gov>
Subject: [External] Temporary replacement

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Dear Mike,

I am writing to you in your capacity as team leader and in follow up to a conversation that I believe we had last year about using research equipment as temporary replacements while regular equipment is out of service.

As set forth in <https://info.ncdhhs.gov/dhsr/coneed/reviews/2022/may/3892-Durham-Duke-University-Hospital-943138-Exemption.pdf>, DUH received an exemption for the replacement of a CT scanner in the emergency department. We have a CT scanner that is regularly used only for research purposes designated internally as C3; however, to ensure sufficient capacity to meet patient needs during the permanent replacement, we would like use the C3 scanner as a temporary

replacement during the approximately four months that the ED scanner will be out of service for the replacement. Upon the completion of ED CT replacement, we may be reaching out to you about using the same machine temporarily during another planned replacement (which will be the subject of an exemption notice).

The use of the C3 scanner during this replacement period for clinical scans will not involve any capital expenditure.

Can you let me know if we can proceed on this? To the extent necessary, can this be notice of an exempt acquisition? There is some urgency as it turns out the existing CT will be taken out of service to start the replacement on Friday. Thank you very much.

Catharine

Catharine W. Cummer
Regulatory Counsel, Strategic Planning, Duke University Health System
Office 919-668-0857 | Cell 919-423-6928

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