



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 3, 2024

Emily Cromer
Emily.Cromer@unchealth.unc.edu

No Review

Record #: 4348
Date of Request: December 21, 2023
Facility Name: University of North Carolina Medical Center
FID #: 923517
Business Name: University of North Carolina Hospitals at Chapel Hill
Business #: 1900
Project Description: Use of dedicated C-Section operating rooms for urgent birthing cases
County: Orange

Dear Ms. Cromer:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the project described above. Based on the CON law **in effect on the date of this response to your request**, the project as described is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Cynthia Bradford
Project Analyst

Micheala Mitchell
Chief

cc: 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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



December 21, 2023

VIA ELECTRONIC MAIL

Micheala Mitchell, Chief
Mike McKillip, Team Leader
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
2704 Mail Service Center
Raleigh, NC 27699-2704

Re: UNC Hospitals' No Review Request Regarding C-Section Room Usage

Ms. Mitchell and Mr. McKillip,

University of North Carolina Hospitals (UNC Hospitals or "UNCH") provides this letter requesting a determination by the Department of Health and Human Services, Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section (the "Agency") that UNCH's occasional use of a C-Section room for birthing related procedures other than C-Sections does not implicate certificate of need ("CON") review and does not require a CON.

UNCH is licensed to operate three (3) dedicated C-Section rooms on its main campus in Chapel Hill. On occasion, UNCH confronts challenges in handling urgent, unscheduled surgeries related to birthing issues that are not technically covered as procedures explicitly permissible to be performed in dedicated C-Section rooms in light of the CON limits on such rooms.¹ These urgent birthing cases often require a very quick response by surgical birthing staff to provide necessary care for patients and transport of the patient from Labor and Delivery to an operating room in the hospital's main OR suite is less than optimal for patient care and safety.

By way of example, the following categories of cases constitute the type of urgent, unscheduled birthing-related case that might be performed in one of UNCH's three C-Section rooms:

- Dilation and Curettage post-delivery
- Dilation and Evacuation post-induction
- External Cephalic Version with reflex to C-Section

¹ Chapter 6 of the Proposed 2024 State Medical Facilities Plan states that "[a] dedicated C-Section OR shall only be used to perform C-Sections and other procedures performed on the patient in the same visit to the C-Section operating room, such that a patient receiving another procedure at the same time as the C-Section would not need to be moved to a different OR for the second procedure."

- Complicated/Operative vaginal deliveries
- Exploratory laparotomy post-delivery
- Cerclage
- Bilateral tubal ligation
- Fetal procedures

To address these patient needs and to ensure a safety net for urgent birthing cases, UNCH proposes the following:

1. For the vast majority of the time, UNCH will continue to use its three C-Section rooms exclusively as C-Section rooms; and
2. For a small fraction of the time in any given week or month, UNCH may use one of its C-Section rooms at a time to perform urgent birthing cases.

This request seeks confirmation that UNCH can, in these urgent situations, utilize any of its three C-Section rooms for urgent birthing cases a small fraction of the time with only one utilized in this manner at a time. As described above, UNCH believes that the proposed use of a C-Section room for urgent birthing cases does not trigger the development of a new institutional health service nor will it result in any additional capital or operating costs, higher patient charges, or any new health services being performed.

In consideration of the above, UNCH requests written confirmation that this proposal does not require CON review.

Please do not hesitate to contact me at Emily.Cromer@unchealth.unc.edu if you require any additional information.

Sincerely,

Emily Cromer

Emily Cromer
Director of Regulatory Affairs & Facility Strategy
UNC Health

From: [Mckillip, Mike](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] UNC Hospitals C-Section Room Use No Review
Date: Thursday, December 21, 2023 2:08:42 PM
Attachments: [2023 UNCH C-Section Room Use No Review.pdf](#)

Happy Holiday, Tiffany! No review request from UNC Hospitals. Cindy, please.

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
2704 Mail Service Center
Raleigh, NC 27699

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From: Cromer, Emily <Emily.Cromer@unchealth.unc.edu>
Sent: Thursday, December 21, 2023 12:26 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>; Mckillip, Mike <mike.mckillip@dhhs.nc.gov>
Subject: [External] UNC Hospitals C-Section Room Use No Review

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Hi Micheala and Mike,

I hope you're both doing well and that you're both looking forward to some restful time off for the holidays!

Attached is a letter of no review regarding the use of C-Section rooms at UNC Hospitals. Please confirm receipt and as always, please reach out to me if you have any questions about the request.

Thank you!
Emily

Emily Cromer
Director of Regulatory Affairs & Facility Strategy
UNC Health
(984) 215-6213
emily.cromer@unchealth.unc.edu

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