



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

June 11, 2024

Catherine Cummer
Catherine.cummer@duke.edu

Exempt from Review

Record #: 4460
Date of Request: June 6, 2024
Facility Name: Duke University Hospital
FID #: 943138
Business Name: Duke University Health Systems
Business #: 640
Project Description: Renovation of space in the Duke North bed tower to accommodate upgrades to electrical connections, plumbing, airflow systems, data cabling, and cosmetics.
County: Durham

Dear Ms. Cummer:

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,

Cynthia Bradford
Project Analyst

Micheala Mitchell
Chief

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

& (POC)

& (Date)

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



Catharine W. Cummer
Regulatory Counsel, Strategic Planning

June 6, 2024

Via Electronic Mail

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

Re: Notice of Exempt Renovation Activities at Duke University Hospital

Dear Ms. Mitchell:

The purpose of this letter is to provide written notice of planned renovation activities on the Duke University Hospital main campus that will cost in excess of the capital cost threshold for a new institutional health service established in G.S. 131E-176(16)b. The project includes the renovation of space in the Duke North bed tower. That tower opened in 1980 and its patient rooms are in need of upgrades to electrical connections, plumbing, airflow systems, data cabling, and cosmetics. In addition to cosmetic upgrades on floors two through four of the tower, the renewal work will consist of replacing outdated plumbing, HVAC ductwork, IT wiring, and normal and emergency power, replacing tubs with showers, and updating lighting with LED fixtures throughout the tower.

Section 131E-184(g) provides that “The Department shall exempt from certificate of need review any capital expenditure that exceeds the monetary threshold set forth in G.S. 131E-176(16)b. if all of the following conditions are met:

- (1) The sole purpose of the capital expenditure is to 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.
- (2) The capital expenditure does not result in (i) a change in bed capacity as defined in G.S. 131E-176(5) or (ii) the addition of a health service facility or any other new institutional health service other than that allowed in G.S. 131E-176(16)b.
- (3) The licensed health service facility proposing to incur the capital expenditure shall provide prior written notice to the Department, along with supporting G.S. 131E-184 documentation to demonstrate that it meets the exemption criteria of this subsection.”

As set forth below, we believe that Duke University Hospital's project is exempt from certificate of need review.

(1) Main Campus

The purpose of this project is facility renovation on the "main campus" of Duke University Hospital, a licensed hospital. The "main campus" of the facility is defined in N.C.G.S. 131E-176(14n) to include both "[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." In this case, Duke University Hospital is a licensed health service facility, and the main hospital building from which Duke University Hospital provides its clinical services and exercises financial and administrative control is the physically contiguous structure that includes Duke South, Duke North (where this project will be implemented), the Duke Children's Hospital, the Duke Medical Pavilion, the Duke Central Tower, the Morris Clinic, the Duke Cancer Center, the Wadsworth Building, and the Hudson Building.

(2) No New Institutional Health Services

The sole purpose of the project at this time is to renovate a portion of the existing health service facility to accommodate existing services. This project will not change Duke's existing bed capacity or inventory of regulated assets or otherwise constitute any other new institutional health service.

(3) Prior Written Notice

Please let this letter serve as the required prior written notice of this project.

Thank you for your attention to this request. If you have questions about this information, please let me know.

Very truly yours,

Catharine W. Cummer

Catharine W. Cummer

From: [Catharine Cumber](#)
To: [Stancil, Tiffany C](#)
Cc: [Lara Orgain](#)
Subject: [External] Exemption Notice Duke University Hospital
Date: Thursday, June 6, 2024 12:29:50 PM
Attachments: [To State Exemption Notice DUH Anlyan Phase II.pdf](#)

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Tiffany,

I am attaching a new exemption notice regarding renovations on the Duke University Hospital campus. Please let me know if you have any questions. Thank you!

Catharine

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