



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

JOSH STEIN • Governor
DEV DUTTA SANGVAI • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

January 9, 2026

Jeffrey Shovelin
jshoveli@vidanthealth.com

No Review – Qualified Urban Ambulatory Surgical Facility

Record #: 5050
Date of Request: December 18, 2025
Facility Name: ECU Health SurgiCenter
Facility Address: 102 Bethesda Drive
Greenville NC 27834
FID#: 943478
Business Name: SurgiCenter of Eastern Carolina, LLC
Business #: 1740
Project Description: Develop eight additional ambulatory surgery operating rooms at a qualified urban ambulatory surgical facility for a total of 18 operating rooms
County: Pitt

Dear Mr. Shovelin:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the development eight additional operating rooms at a qualified urban ambulatory surgical facility. Pursuant to NCGS §131E-176(21a), a qualified urban ambulatory surgical facility is an ambulatory surgical facility that meets all of the following criteria:

- a. Is licensed by the Department to operate as an ambulatory surgical facility.
b. Has a single specialty or multispecialty ambulatory surgical program.
c. Is located in a county with a population greater than 125,000 according to the 2020 federal decennial census or any subsequent federal decennial census.

Based on the representation in your request and 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

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

LOCATION: 1915 Health Services Way, Raleigh, NC 27607
MAILING ADDRESS: 1915 Health Services Way, 2704 Mail Service Center, Raleigh, NC 27699-2704
www.ncdhs.gov/dhsr • TEL: 919-855-3873

office. **As a reminder, it is unlawful to offer or develop a new institutional health service without first obtaining a certificate of need. The Department reserves the right to impose sanctions, including civil penalties and the revocation of a license, upon any entity that offers or develops a new institutional health service without first obtaining a certificate of need.**

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  
Construction Section, DHSR  
Healthcare Planning, DHSR



December 18, 2025

Mr. Greg Yakaboski  
Certificate of Need Section  
Division of Health Service Regulation  
NC Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704

FILED ELECTRONICALLY

**Re: Request for No Review Status for the Expansion of Operating Rooms at SurgiCenter of Eastern Carolina, LLC (License# AS0012 / FID# 943478 / Pitt County)**

Dear Mr. Yakaboski,

SurgiCenter of Eastern Carolina, LLC d/b/a ECU Health SurgiCenter (EHSC) is an existing ambulatory surgery center (ASC) that is currently licensed for 10 operating rooms. EHSC is planning to physically expand its existing facility to add eight (8) additional ambulatory surgery operating rooms for a total of 18 operating rooms at the completion of the project. EHSC believes the addition of incremental new operating rooms does not require a Certificate of Need (CON) review for the following reasons.

EHSC meets the definition of a “Qualified Urban ASC” as defined in NCGS 131E-176(21a) since EHSC:

1. Is licensed by the Department to operate as an ASC (License# AS0012),
2. Has a multispecialty ambulatory program, and
3. Is located in a county with a population greater than 125,000 according to the 2020 federal decennial census (Pitt County – 170,243)

Since EHSC meets the definition of a Qualified Urban ASC, the addition of incremental operating rooms does not require a CON review. NCGS 131E-178(a-d) Activities Requiring Certificate of Need outlines the activities of a new institutional health service that cannot be done without first obtaining a certificate of need from the Department. In this case, the only possible applicable definitions of a new institutional health service for this project are:

1. NCGS 131E-176(16a): This definition applies to any project for the construction, development, or other establishment of a new health service facility. This definition does not apply since a) EHSC is not a new facility and b) a Qualified Urban ASC is not a health service facility since the definition of that (NCGS 131E-176(9b)) specifically states “the term health service facility does not include a qualified urban ambulatory surgical facility”. Therefore, this definition is not applicable.
2. NCGS 131E-176(16b): This definition address projects that develop or expand a health service or a health facility **AND** exceeds \$4 million. While a Qualified Urban ASC was specifically removed from the definition of a health service facility, the provision of surgical services still meets the definition of a health service (NCGS 131E-176(9a)). Given the project is anticipated to cost more than \$4M to complete, this definition of a new institutional health service could potentially apply. However, this definition also specifically states it applies “except with respect to qualified urban ambulatory surgical facilities.” Therefore, this definition is not applicable.

Since none of the potentially applicable definitions of a new institutional health service applies, EHSC believes its proposed project to add incremental new ambulatory surgery operating rooms to an existing facility does not require a CON review. EHSC is requesting that the CON Section issue a letter determining the proposed project does not require a CON review. If you have any questions or concerns, please feel free to contact me at (252) 847-3631.

Sincerely,

*Jeffrey Shovelin*

Jeffrey Shovelin  
VP – Business Planning and Strategy  
ECU Health  
PO Box 6028, Greenville NC 27835-6028  
(252)847-3631  
jshoveli@ecuhealth.org

**From:** [Shovelin, Jeffrey](#)  
**To:** [Yakaboski, Greg](#)  
**Cc:** [Stancil, Tiffany C](#)  
**Subject:** [External] ECU Health SurgiCenter No Review Request: Add Additional Operating Rooms to an Existing Facility  
**Date:** Thursday, December 18, 2025 10:29:15 AM  
**Attachments:** [Request for No Review Status \(SurgiCenter Expansion\).pdf](#)

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Attached is a request for No review status for ECU SurgiCenter to add additional ambulatory surgery operating rooms to an existing freestanding ASC. Please let me know if you have any questions or need additional information. Also, please confirm receipt. Thank you!

Jeff Shovelin  
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