



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

JOSH STEIN • Governor

DEVPUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

January 7, 2026

Denise Gunter  
denise.gunter@nelsonmullins.com

**No Review**

**Record #:** 5053  
**Date of Request:** December 22, 2025  
**Facility Name:** Novant Health Charlotte Outpatient Surgery  
**FID #:** 943501  
**Business Name:** Novant Health, Inc.  
**Business #:** 1341  
**Project Description:** Relocate one endoscopy room from Midtown Outpatient Surgery  
**County:** Mecklenburg

Dear Denise Gunter:

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 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 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,

*Chalice L. Moore*

Chalice L. Moore, Project Analyst

*Micheala Mitchell*

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**

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

December 19, 2025

**Via E-mail**

Micheala Mitchell, Chief  
Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
1915 Health Services Way  
Raleigh, North Carolina 27607

RE: Relocation of One Endoscopy Room in Mecklenburg County

Dear Ms. Mitchell:

On behalf of Novant Health and Novant Health Presbyterian Medical Center (collectively, “Novant Health”), I am writing to inform the Agency of Novant Health’s intention to relocate one endoscopy room from Midtown Outpatient Surgery (“NH Midtown”), located at 1918 Randolph Road, Suite 740, Charlotte, NC 28207 to Novant Health Charlotte Outpatient Surgery (“NH COS”), located at 1718 E. Fourth Street, Charlotte, NC 28204. NH Charlotte is a department of Novant Health Presbyterian Medical Center (“NHPMC”), and is licensed under NHPMC. NH Midtown and NH COS are separated by no more than a single right of way. *See* Campus Map in **Exhibit A**. As the map shows, East Fourth Street becomes Randolph Road at the intersection of Caswell Road. Midtown Medical Plaza, where NH Midtown is located, sits at the corner of Caswell and Randolph Roads, and to reach NH COS, one would simply walk across Caswell Road from NH Midtown.

As the Agency may recall from the correspondence attached in **Exhibit B**, NH Midtown is transitioning to a qualified urban ambulatory surgical facility (“QUASF”). Since QUASFs are no longer regulated by the CON law, Novant Health proposes to relocate one of the two endoscopy rooms at NH Midtown to NH COS. Novant Health may, at a later date, relocate the other endoscopy room elsewhere, and if so, we will follow the appropriate CON process applicable to such a relocation.

The CON Law regulates

Micheala Mitchell  
December 19, 2025  
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[t]he construction, development, establishment, increase in the number, or relocation of an operating room or gastrointestinal endoscopy room in a licensed health service facility, other than the relocation of an operating room or gastrointestinal endoscopy room within the same building or on the same grounds or to grounds not separated by more than a public-right-of-way adjacent to the grounds where the operating room is or gastrointestinal endoscopy room is currently located.

N.C. Gen. Stat. § 131E-176(16)u. As the map demonstrates, the relocation of the endoscopy room from NH Midtown to NH COS is no more than a single right of way.

The proposed relocation does not involve the acquisition of any specifically regulated equipment pursuant to N.C. Gen. Stat. § 131E-176(16)f.1.1-9., or any major medical equipment pursuant to N.C. Gen. Stat. § 131E-176(14o). No other definitions of “new institutional health services” in N.C. Gen. Stat. § 131E-176(16)a.-v. apply here.

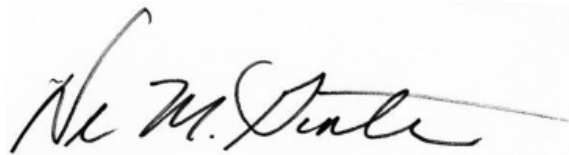
Novant Health plans to see patients in the relocated endoscopy room starting February 3, 2026.

Accordingly, Novant Health respectfully requests the Agency’s written confirmation that the foregoing project does not require CON review.

Please let me know if you have any questions or need additional information. Thank you for your time and attention.

With best personal regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise M. Gunter", written in a cursive style.

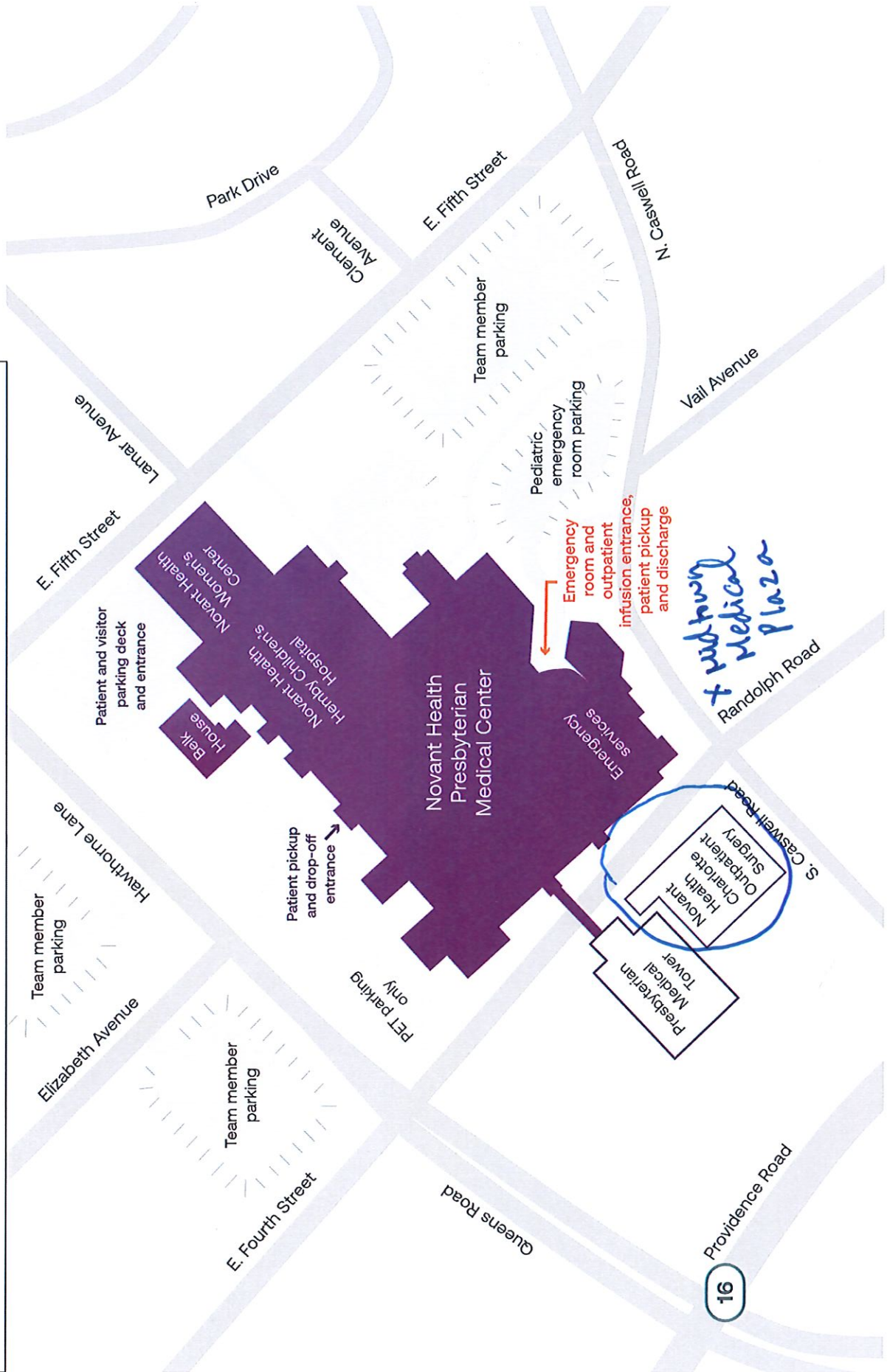
Denise M. Gunter

Enclosures



# Novant Health Presbyterian Medical Center

200 Hawthorne Lane, Charlotte, NC 28204 • 704-384-4000 • NovantHealth.org





NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

**EXHIBIT B**

**JOSH STEIN** • Governor

**DEV DUTTA SANGVAI** • Secretary

**MARK PAYNE** • Director, Division of Health Service Regulation

**VIA EMAIL ONLY**

December 11, 2025

Denise M. Gunter

[denise.gunter@nelsonmullins.com](mailto:denise.gunter@nelsonmullins.com)

**No Review – Qualified Urban Ambulatory Surgical Facility**

**Record #:** 5018

Date of Request: November 24, 2025

Facility Name: Novant Health Midtown Outpatient Surgery

Facility Address: 1918 Randolph Road, Suite 740  
Charlotte NC 28207

Business Name: Novant Health, Inc.

Business #: 1341

Project Description: Develop a qualified urban ambulatory surgical facility

County: Mecklenburg

Dear Denise M. Gunter:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the development of 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 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**

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**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,



Chalice L Moore  
Project Analyst



Micheala Mitchell  
Chief

cc: Acute and Home Care Licensure and Certification Section, DHSR  
Construction Section, DHSR  
Healthcare Planning, DHSR



Denise M. Gunter  
 Attorney  
 T: (336) 774-3322  
 denise.gunter@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH LLP  
 ATTORNEYS AND COUNSELORS AT LAW  
 380 Knollwood Street  
 Suite 530  
 Winston-Salem, NC 27103  
 T: (336) 774-3300 F: (336) 774-3299  
 nelsonmullins.com

November 24, 2025

**Via E-mail**

Micheala Mitchell, Chief  
 Healthcare Planning and Certificate of Need Section  
 North Carolina Department of Health and Human Services  
 Division of Health Service Regulation  
 1915 Health Services Way  
 Raleigh, North Carolina 27607

RE: Notice of Qualified Urban Ambulatory Surgical Facility in Mecklenburg County (HSA III)

Dear Ms. Mitchell:

Pursuant to N.C. Gen. Stat. § 131E-176(21a), I am writing to inform the Department of Novant Health, Inc.'s ("Novant Health") intention to establish a Qualified Urban Ambulatory Surgical Facility ("QUASF").

The facility is called Novant Health Midtown Outpatient Surgery ("NH Midtown"). The address is 1918 Randolph Road, Suite 740, Charlotte NC 28207. NH Midtown has four multispecialty operating rooms and two endoscopy procedure rooms. It is located in Mecklenburg County, which has a population greater than 125,000 according to the 2020 federal decennial census.<sup>1</sup> Presently, NH Midtown is licensed under Novant Health Presbyterian Medical Center (license # H0010) as a hospital outpatient department ("HOPD"). As a QUASF, NH Midtown will become its own licensed ambulatory surgical facility. As a QUASF, NH Midtown will continue to function as a multispecialty ambulatory surgical facility.

Novant Health intends to meet the charity care requirements that are applicable to QUASFs pursuant to N.C. Gen. Stat. § 131E-147.5(a) and (b).

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<sup>1</sup> The 2020 federal decennial census reports the population of Mecklenburg County as 1,115,482. See <https://www.census.gov/search-results.html?searchType=web&cssp=SERP&q=Mecklenburg%20County,%20North%20Carolina>.

Micheala Mitchell  
November 24, 2025  
Page 2

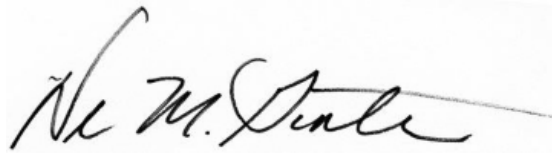
We would appreciate the Agency's prompt written confirmation that NH Midtown qualifies for QUASF status.

Please let me know if you need any further information.

Thank you for your time and consideration.

With best personal regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise M. Gunter", written over a light gray rectangular background.

Denise M. Gunter

**From:** [Denise Gunter](#)  
**To:** [Mckillip, Mike](#); [Moore, Chalice L](#); [Stancil, Tiffany C](#)  
**Subject:** [External] QUASF Letter for Mecklenburg County  
**Date:** Monday, November 24, 2025 2:34:48 PM  
**Attachments:** [QUASF letter for Midtown.pdf](#)

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**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.

Good afternoon,

I hope everyone is doing well. Attached is a Qualified Urban Ambulatory Surgical Facility (“QUASF”) letter for Novant Health.

Could you please confirm that you’ve received this?

Thanks and best wishes for a Happy Thanksgiving.



---

DENISE M. GUNTER **PARTNER**  
[denise.gunter@nelsonmullins.com](mailto:denise.gunter@nelsonmullins.com)  
She/Her/Hers  
THE KNOLLWOOD | SUITE 530  
380 KNOLLWOOD STREET | WINSTON-SALEM, NC 27103  
T 336.774.3322 F 336.774.3299  
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**From:** [Mckillip, Mike](#)  
**To:** [Stancil, Tiffany C](#)  
**Subject:** FW: [External] Endoscopy Room Relocation Letter for Mecklenburg County  
**Date:** Friday, December 19, 2025 12:35:58 PM  
**Attachments:** [Endoscopy Room Relocation Letter.pdf](#)  
[Exhibit A.pdf](#)  
[Exhibit B.pdf](#)  
[image001.png](#)

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Hi Tiffany,

Please assign this no review letter request to Chalice. Thanks.

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. I can best be reached by email on Monday, Tuesday and Thursday.)

[mike.mckillip@dhhs.nc.gov](mailto:mike.mckillip@dhhs.nc.gov)

Physical Address:

1915 Health Services Way, 2<sup>nd</sup> Floor  
Raleigh, NC 27607



Mailing Address:

2704 Mail Service Center

Raleigh, NC 27699-2704

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---

**From:** Denise Gunter <denise.gunter@nelsonmullins.com>

**Sent:** Friday, December 19, 2025 12:16 PM

**To:** Stancil, Tiffany C <Tiffany.Stancil@dhhs.nc.gov>; Moore, Chalice L <chalice.moore@dhhs.nc.gov>; Mckillip, Mike <mike.mckillip@dhhs.nc.gov>

**Subject:** [External] Endoscopy Room Relocation Letter for Mecklenburg County

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Good afternoon, and Happy Friday.

I hope everyone is doing well. Attached for processing is a no review letter in which Novant Health proposes to relocate an endoscopy room in Mecklenburg County.

Could you please let me know that you have received this?

Thanks and I hope you have a great weekend. I wish you a happy and healthy holiday season and a great 2026.

\_\_\_\_\_

---

DENISE M. GUNTER **PARTNER**  
[denise.gunter@nelsonmullins.com](mailto:denise.gunter@nelsonmullins.com)

She/Her/Hers

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380 KNOLLWOOD STREET | WINSTON-SALEM, NC 27103

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