



**MOSES CONE HEALTH SYSTEM**  
**REGIONAL CANCER CENTER**  
501 North Elam Avenue  
Greensboro, NC 27403-1199  
Phone: 336.832.1100  
Fax 336.832.0624

***Radiation Oncology***

*Robert J. Murray, M.D.*  
*James D. Knard, PhD, M.D.*  
*Justin J. Wu, M.D.*  
*Matthew A. Manning, M.D.*  
*Nancy M. Bednarz, M.D.*  
*John S. Moody, M.D., Ph.D.*

August 1, 2008

Ms. Carol G. Potter  
North Carolina Division of Health Service Regulation  
Medical Facilities Planning Section  
2714 Mail Service Center  
Raleigh, North Carolina 27699-2714  
FAX #: 919-715-4413

DFS Health Planning  
RECEIVED

AUG 04 2008

Medical Facilities  
Planning Section

Dear Carol:

This letter is in regards to a petition from Parkway Urology, P.A., doing business as Cary Urology, P.A. This letter is intended to oppose the petition for an adjusted need determination for a linear accelerator in service area 20. It is clear that Wake County is well served by four cancer centers with linear accelerators capable of delivering both IMRT and IGRT for prostate cancer. As such, this is not an underserved area or diagnosis. Furthermore, Cary does have a facility two miles away from the proposed urology linear accelerator center. This proposed certificate of need would provide a linear accelerator in an area with two nearby academic institutions, namely UNC and Duke which offer the highest quality care for prostate cancer incorporating a variety of treatments including radiation oncology, surgery and medical oncology. As such, the certificate of need application does not warrant consideration under any rationale that it would serve an "underserved population".

In addition to its fundamental weaknesses as a needs determination, this application is related to the development of an organ-specific linear accelerator center. Unfortunately, national trends related to this form of business venture seem to indicate that patients are typically referred for treatment using the linear accelerator for financial reasons rather than clinical indications.

If a certificate of need is awarded to produce an organ-specific linear accelerator center in service area 20, unfortunately, this will prohibit future CON applications for linear accelerators for multidisciplinary care in this service area. As such, in an effort to improve urology care, the state may ultimately sacrifice care for lung cancer, breast cancer, head and neck cancer and brain

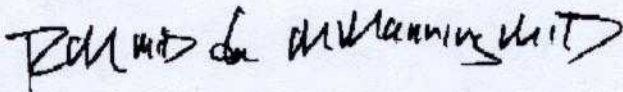
Ms. Carol G. Potter

Page 2

tumors. The methodology that the state of North Carolina has used to award certificates of need is designed to avoid duplication of services and provide the greatest access to all citizens to linear accelerator therapy options. In effect, the proposed CON for a urology linear accelerator may open greater access to prostate cancer patients and limit future access to linear accelerator treatments for all other types of malignancies.

Thank you for considering my comment on this issue.

Sincerely,



Matthew Manning, M.D., President  
Greensboro Radiation Oncologists, P.A.

MM/Accrtype 0333DF4C\_1.doc

This document has not been reviewed or approved by the medical staff.  
Signed by the dictator or attending physician.