

**COMMENTS REGARDING WAKE PETITION  
TO ADJUST NEED DETERMINATION  
FOR LINEAR ACCELERATOR IN SERVICE AREA 20**

Duke University Health System, Inc. hereby submits these comments regarding the petition submitted by WakeMed to adjust the need determination for linear accelerators in Service Area 20, which includes Wake and Franklin Counties. Duke supports the application of the existing methodology and resulting determination that no need exists for additional equipment in the service area.

Specifically, Duke offers the following points for consideration:

- WakeMed argues that eliminating two currently underutilized linear accelerators from the inventory supports the need for additional equipment. However, as the petition makes clear, that adjustment would still result in a surplus of 1.9 machines, a significant surplus in an adjusted inventory of 9 machines.
- One of the linear accelerators that WakeMed identifies as underutilized has been approved for acquisition and relocation into Wake County by Duke. The other is under development by UNC. In light of the fact that the two identified “underutilized” linear accelerators are in fact both projects that are under development and projected to be available to increase access for patients in the near future and are not simply chronically underutilized, it is premature to determine that there is insufficient inventory to meet the future needs of the service area.

For all the foregoing reasons, WakeMed’s petition should be denied and the standard methodology applied in the 2023 State Medical Facilities Plan. If the SHCC is interested in a change in methodology that would generate a need based on a provider’s existing oncology services and/or cancer incidence rates, that could be considered in connection with a spring petition or work group.