

1 10A NCAC 14C .3803 is readopted with changes as published in 37:02 NCR 170-174 as follows:

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3 **10A NCAC 14C .3803 PERFORMANCE STANDARDS**

4 ~~(a) An applicant proposing to develop new acute care beds shall demonstrate that the projected average daily census~~
5 ~~(ADC) of the total number of licensed acute care beds proposed to be licensed within the service area, under common~~
6 ~~ownership with the applicant, divided by the total number of those licensed acute care beds is reasonably projected to~~
7 ~~be at least 66.7 percent when the projected ADC is less than 100 patients, 71.4 percent when the projected ADC is~~
8 ~~100 to 200 patients, and 75.2 percent when the projected ADC is greater than 200 patients, in the third operating year~~
9 ~~following completion of the proposed project or in the year for which the need determination is identified in the State~~
10 ~~Medical Facilities Plan, whichever is later.~~

11 ~~(b) An applicant proposing to develop new acute care beds shall provide all assumptions and data used to develop the~~
12 ~~projections required in this rule and demonstrate that they support the projected inpatient utilization and average daily~~
13 ~~census.~~

14 An applicant proposing to develop new acute care beds in a hospital pursuant to a need determination in the annual
15 State Medical Facilities Plan in effect as of the first day of the review period shall:

- 16 (1) document that it is a qualified applicant;
17 (2) provide projected utilization of the existing, approved, and proposed acute care beds for the
18 applicant hospital during each of the first three full fiscal years of operation following completion
19 of the project;
20 (3) project an occupancy rate of the existing, approved, and proposed acute care beds for the applicant
21 hospital during the third full fiscal year of operation following completion of the project that equals
22 or exceeds the target occupancy percentage;
23 (4) provide projected utilization of the existing, approved, and proposed acute care beds for the hospital
24 system during each of the first three full fiscal years of operation following completion of the
25 project;
26 (5) project an average occupancy rate of the existing, approved, and proposed acute care beds for the
27 hospital system during the third full fiscal year of operation following completion of the project that
28 equals or exceeds the target occupancy [percentage; and] percentage of:
29 (a) 66.7 percent if the ADC is less than 100;
30 (b) 71.4 percent if the ADC is 100 to 200;
31 (c) 75.2 percent if the ADC is 201 to 399; or
32 (d) 78.0 percent if the ADC is greater than 400; and
33 (6) provide the assumptions and methodology used to project the utilization and occupancy rates
34 required in Items (2), (3), (4), and (5) of this Rule.

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36 *History Note: Authority G.S. 131E-177(1); ~~131E-183~~; 131E-183(b);*
37 *Temporary Adoption Eff. January 1, 2004;*

- 1 *Eff. August 1, ~~2004~~ 2004.*
- 2 *Readopted Eff. January 1, 2023.*