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KIDNEY CENTER

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June 30, 2010

VIA FAX: 919-733-8139

Received by the
CON Section

Mr. Craig R. Smith, Chief
Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Human Resources
701 Barbour Drive
Raleigh, NC 27603

01 JUL 2010 1 1 12

Re: Public Written Comments, CON Project ID # G-8521-10, Mebane Dialysis
FID# 100545

Dear Mr. Smith:

I am writing with regard to the above noted CON project filed by Renal Treatment Centers Mid-Atlantic, Inc. to develop a 10 station dialysis facility in Mebane, Alamance County, North Carolina. I note that DaVita, Inc. is parent company to Renal Treatment Centers Mid-Atlantic, Inc.


As you may know, the nephrology physicians from the University of North Carolina Hospital, Division of Nephrology and Hypertension currently serve as medical directors for the DaVita dialysis facility in Burlington. Despite this close historical working relationship, DaVita has not included our physicians in the planning or development process for its CON application. I firmly believe that it would have been appropriate for DaVita to at least apprise us of their intentions to file an application that would involve transferring dialysis stations from a facility where we round on over 70 patients with end stage renal disease. DaVita's decision not to involve our physicians in the planning process for Mebane Dialysis is disappointing to say the least and calls into question whether DaVita's application can truly show evidence of the availability of resources, including health manpower and management personnel, for the provision of services at Mebane Dialysis.

I would also question whether DaVita's application has adequately identified the population to be served by the Mebane Dialysis proposal. In attempting to meet this CON criterion, it is my understanding that DaVita has solicited letters of support for their CON proposal from patients at the current Burlington facility. At least 12 of the patients who signed these letters are also patients under the care of physicians from the University of North Carolina Hospital, Division of Nephrology and Hypertension. Geographic location and transportation convenience are certainly important factors to take into consideration in developing a treatment plan for patients with end stage renal disease. In making referral decisions for dialysis treatment, however, physicians must also consider other equally important factors, such as the quality of medical care available, facility design, and protecting the continuity of care. Based on our lack of involvement in DaVita's proposed facility, the continued increase in patients with end stage renal disease in our existing facilities, and plans for expansion by UNC Hospitals, we are not in a position to

determine whether Mebane Dialysis would provide the high-quality level of service that we would demand for our patients and, at this point, do not anticipate referring existing or new patients to the proposed DaVita facility.

Thank you in advance for your time and attention. If you have any questions, or if I can be of further assistance, please do not hesitate to contact me at 919-966-2561 extension 250.

Sincerely,

A handwritten signature in black ink that reads "Ronald J. Falk". The signature is written in a cursive style with a large initial "R" and "F".

Ronald J. Falk, MD
Thurston Professor of Medicine
Chief, Division of Nephrology and Hypertension
Director, UNC Kidney Center