



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Drexdal Pratt
Division Director

RESPONSE REQUIRED

August 31, 2015

Jeffrey Shovelin
P.O. Box 6028
Greenville, NC 27835-6028

Conditional Approval

Project ID #: Q-11027-15
Facility: Vidant Medical Center
Project Description: Add 85 acute care beds for a total of 1059 acute care beds upon completion of this project and Project I.D. #Q-10068-12 (add 65 acute care beds)
County: Pitt
FID #: 933410

Dear Mr. Shovelin:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) has conditionally approved the above referenced certificate of need application. This decision was made after a review of the applications submitted for this cycle and after consideration of the Certificate of Need Law, G.S. 131E-175 et. seq. and regulations promulgated there under, the State Medical Facilities Plan, and other applicable information. Attached to this letter are the required findings made with respect to your application. The applicant shall not proceed with the construction, offering or development of this project until the certificate of need is issued. Further, the Agency shall not issue the certificate of need until all applicable conditions of approval have been met pursuant to G.S. 131E-187(a). The conditions are as follows:

1. Pitt County Memorial Hospital, Incorporated d/b/a Vidant Medical Center shall materially comply with all representations made in the certificate of need application.
2. Pitt County Memorial Hospital, Incorporated d/b/a Vidant Medical Center shall not acquire, as part of this project, any equipment that is not included in the project's proposed capital expenditure in Section VIII of the application and which would otherwise require a certificate of need.



Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

Telephone 919-855-3873 • Fax 919-715-4413

Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603

Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

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3. Pitt County Memorial Hospital, Incorporated d/b/a Vidant Medical Center shall add no more than 85 acute care beds (12 intensive care and 73 general acute care) for a total of no more than 932 licensed acute care beds upon completion of Project Q-10068-12 (add 65 acute care beds) and this project.
4. Pitt County Memorial Hospital, Incorporated d/b/a Vidant Medical Center shall submit a plan of energy efficiency and water conservation to the Construction Section, Division of Health Service Regulation (DHSR) that conforms to the rules, codes and standards implemented by the Construction Section, DHSR.
5. Prior to issuance of the certificate of need, Pitt County Memorial Hospital, Incorporated d/b/a Vidant Medical Center shall acknowledge acceptance of and agree to comply with all conditions stated herein in writing to the Agency.

Response to the above conditions should be submitted to the Agency no later than 35 days from the date of the decision. Failure to respond within this time period may result in the Agency making a determination not to issue a certificate of need for the project referenced above.

The conditional approval is valid only for a capital expenditure of **\$43,159,073**. If a cost overrun occurs that exceeds the approved capital expenditure amount, a new certificate of need may be required as determined by G.S. 131E-176(16)(e).

The applicant should be aware that according to the Certificate of Need law any affected person shall have thirty (30) days after the date of decision to file a petition for a contested case on this approval. Further, if you are aggrieved by the conditions of the decision you may file a petition for a contested case hearing in accordance with G.S. 150B, Article 3, as amended. This petition must be filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 within thirty (30) days of the date of this decision. [Note: Effective October 1, 2009, OAH requires a filing fee with submittal of petitions for contested cases. Please direct all questions regarding this fee to OAH Clerk's Office (919-431-3000).]

G.S. 150B-23 provides that a party filing a petition must also serve a copy of the petition on all parties to the petition. Therefore, if you file a petition for a contested case hearing, you must serve a copy of the petition on the Department of Health and Human Services by mailing a copy of your petition to:

Emery Milliken
Department of Health and Human Services,
Office of Legal Affairs,
Adams Building – Room 154
2001 Mail Service Center
Raleigh, North Carolina, 27699-2001

It is requested that a copy of the petition also be served on the Agency.

Jeffrey Shovelin
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The certificate of need will not be issued before the completion of this 30 day period ending **September 30, 2015**. If a contested case request is received within the thirty (30) day period, the certificate will not be issued until the appeal is resolved (10A NCAC 14C .0208).

The timetable for completion of the project is the timetable outlined in the certificate of need application, unless an adjustment has been made by the Agency because the review period was extended. The timetable for this project is as follows:

25% Completion of Construction _____	January 1, 2019
50% Completion of Construction _____	April 1, 2019
Completion of Construction _____	September 1, 2019
Occupancy/Offering of Services _____	October 1, 2019
Operation of Equipment _____	October 1, 2019
Certification of Beds _____	October 1, 2019

If the decision is appealed, the timetable set forth in this letter will be adjusted accordingly before the Certificate of Need is issued. Please contact this office if any clarification of this decision is required.

Please refer to the Project ID # and Facility ID # (FID) in all correspondence.

Sincerely,

Jane Rhoe-Jones, Project Analyst

Lisa Pittman, Team Leader
Certificate of Need

Attachment

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

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing notice of **conditional approval** on the following person by placing a copy in an official depository of the United States Postal Service in a postage-paid, first class envelope addressed as follows:

Jeffrey Shovelin
P.O. Box 6028
Greenville, NC 27835-6028

Project ID #Q-11027-15

FID #933410

This the 31st day of August, 2015

Jane Rhoe-Jones, Project Analyst
Certificate of Need