

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

Pat McCrory Governor Aldona Z. Wos, M.D. Ambassador (Ret.) Secretary DHHS

> Drexdal Pratt Division Director

June 30, 2014

Jeffrey Shovelin, Director of Corporate Planning, Vidant Health Post Office Box 6028 Greenville, North Carolina 27835-6028

#### No Review

Facility or Business:

Vidant Beaufort Hospital

Project Description:

Replace Linear Accelerator

County:

-Carteret Beaufort

FID #:

932963

Dear Mr. Shovelin:

The Certificate of Need Section (CON Section) received your letters of June 10, 2014 and April 23, 2014 regarding the above referenced proposal. Based on the CON law in effect on the date of this response to your request, the proposal described in your correspondence is not governed by, and therefore, does not currently require a certificate of need. However, please note that if the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

Moreover, you need to contact the Construction Section and the Acute and Home Care Licensure and Certification Section of the Division of Health Service Regulation to determine if they have any requirements for development of the proposed project.

It should be noted that this determination is binding only for the facts represented by you. Consequently, if changes are made in the project or in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by the Certificate of Need Section. Changes in a project include, but are not limited to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the



Certificate of Need Section

www.ncdhhs.gov
Telephone: 919-855-3873 • Fax: 919-733-8139
Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603
Mailing Address: 2704 Mail Service Center •Raleigh, NC 27699-2704
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June 10, 2014

Ms. Jane Rhoe-Jones Certificate of Need Section Division of Health Service Regulation NC Department of Health and Human Services 2704 Mail Service Center Raleigh, NC 27699-2704

RE: Request for Additional Information Regarding the Submitted "No Review" for a Linear Accelerator Replacement at Vidant Beaufort Hospital

Dear Ms. Rhoe-Jones:

Per you letter dated May 16 (attached), please reference the attached certification letter from Harvey Case, President of Vidant Beaufort Hospital, as documentation that the administrative and financial control of the entire licensed health service facility is exercised at the site where the equipment proposed to be replaced is currently located.

If you require additional information or clarification, please contact me at (252)-847-3631.

Jeffrey Shavelin

Director of Corporate Planning

Vidant Health



June 10, 2014

Ms. Jane Rhoe-Jones Certificate of Need Section Division of Health Service Regulation NC Department of Health and Human Services 2704 Mail Service Center Raleigh, NC 27699-2704

Dear Ms. Rhoe-Jones:

Please let this letter serve as documentation that I, Harvey Case, President of Vidant Beaufort Hospital (VBEA), do hereby certify the following in regards to the replacement of an existing Siemens Mevatron KDS2 linear accelerator with a new Varian Clinac iX linear accelerator:

- 1. That financial control of the entire licensed health service facility, VBEA, is exercised at the site where the equipment proposed to be replaced is currently located at VBEA.
- 2. That administrative control of the entire licensed health service facility, VBEA, is exercised at the site where the equipment proposed to be replaced is currently located at VBEA.

If you require additional information or clarification, please contact me at (252)-975-4211.

Harvey Case President

Vidant Beaufort Hospital



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

Pat McCrory Governor Aldona Z. Wos, M.D. Ambassador (Ret.) Secretary DHHS

> Drexdal Pratt Division Director

> > G

May 16, 2014

Jeffrey Shovelin Director of Corporate Planning, Vidant Health Post Office Box 6028 Greenville, North Carolina 27835-6028

#### **Information Request for Exemption Pursuant to G.S. 131E-184(f)**

Facility:

Vidant Beaufort Hospital

Project Description:

Replace Linear Accelerator

County:

Beaufort

FID #:

932963

Dear Mr. Shovelin:

The Certificate of Need Section (CON Section) has received your letter dated April 23, 2014 regarding the above reference proposal. However, additional information is needed to determine if the project is exempt from review pursuant to G.S. 131E-184(f).

Provide a written response to each of the following.

- 1. Documentation that <u>financial control of the entire licensed health service facility</u> is exercised at the site where the equipment proposed to be replaced is currently located.
- 2. Documentation that <u>administrative control of the entire licensed health service facility</u> is exercised at the site where the equipment proposed to be replaced is currently located.

If you have any questions concerning this request, please do not hesitate to call me.

Sincerely,

Jane Rhoe-Jones, Project Analyst Certificate of Need Section



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

Pat McCrory Governor Aldona Z. Wos, M.D. Ambassador (Ret.) Secretary DHHS

> Drexdal Pratt Division Director

May 16, 2014

Jeffrey Shovelin Director of Corporate Planning, Vidant Health Post Office Box 6028 Greenville, North Carolina 27835-6028

Information Request for Exemption Pursuant to G.S. 131E-184(f)

Facility:

Vidant Beaufort Hospital

Project Description:

Replace Linear Accelerator

County:

Beaufort

FID #:

932963

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Provide a written response to each of the following.

- 1. Documentation that <u>financial control of the entire licensed health service facility</u> is exercised at the site where the equipment proposed to be replaced is currently located.
- 2. Documentation that <u>administrative control of the entire licensed health service facility</u> is exercised at the site where the equipment proposed to be replaced is currently located.

If you have any questions concerning this request, please do not hesitate to call me.

Sincerely,

Jane Rhoe-Jones, Project Analyst

Certificate of Need Section

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The Colved by APR 25 2014

April 23, 2014

Ms. Jane Rhoe-Jones Certificate of Need Section Division of Health Service Regulation NC Department of Health and Human Services 2704 Mail Service Center Raleigh, NC 27699-2704

RE: Request for "No Review" for a Linear Accelerator Replacement at Vidant Beaufort Hospital

Dear Ms. Rhoe-Jones:

Vidant Beaufort Hospital (VBEA) plans to replace an existing Siemens Mevatron KDS2 linear accelerator with a new Varian Clinac iX linear accelerator. The reason for the replacement is due to age technology limitations of the existing equipment. The total capital costs for the proposed replacement is estimated to be \$2,762,305 (see Appendix A). These costs include all expenses associated with the equipment replacement. The project will be funded through accumulated reserves and is anticipated to be complete by November 2014 (see Appendix B).

Even though the project exceeds \$2,000,000, VBEA believes that the proposed equipment replacement is not subject to review under North Carolina's Certificate of Need (CON) laws. VBEA's proposed project meets the requirements found in G.S. 131E-184(f). This statute states:

- (f) The Department shall exempt from certificate of need review the purchase of any replacement equipment that exceeds the two million dollar (\$2,000,000) threshold set forth in G.S. 131E-176(22) [sic, should be (22a)] if all of the following conditions are met:
  - (1) The equipment being replaced is located on the main campus.
  - (2) The Department has previously issued a certificate of need for the equipment being replaced. This subdivision does not apply if a certificate of need was not required at the time the equipment being replaced was initially purchased by the licensed health service facility.
  - (3) The licensed health service facility proposing to purchase the replacement equipment shall provide prior written notice to the Department, along with supporting documentation to demonstrate that it meets the exemption criteria of this subsection.

#### Specifically:

a) The proposed project meets the definition of replacement equipment found in G.S. 131E-176(22a) in that the new equipment is being purchased for the sole purpose of replacing comparable medical equipment that is currently in use and otherwise disposed of when replaced. Reference Appendix C for the Responses to Replacement Equipment Key Questions.

- b) The equipment being replaced is located on the main campus. Reference Appendix I for Site Plans and Floor Plans associated with the proposed project.
- c) The existing equipment was acquired through a replacement letter of no review in December 2005, so therefore a certificate of need was not required at the time the equipment being replaced was initially purchased.
- d) By this letter, VBEA is providing prior written notice to the Department, along with supporting documentation to demonstrate that it meets the exemption criteria of this subsection.

VBEA's proposal meets the requirements identified above and is therefore exempt from review. Therefore, VMC requests approval of a no review status for the proposed project.

If you require additional information or clarification, please contact me at (252)-847-3631.

Jeffrey Shovelin

Director of Corporate Planning

Vidant Health

# Appendix A Capital Cost Sheet

## CAPITAL COST SUMMARY

Site Costs		
(1) Full purchase price of land	\$ 0	i
Acres 0 Price per Acre \$		
(2) Closing costs	\$ 0	
(3) Site Inspection and Survey	\$ 0 \$ 0 \$ 0	
(4) Legal fees and subsoil investigation	\$ 0	,
(5) Site Preparation Costs [Include]	,	,
Soil Borings		
Clearing and Grading		
Roads and Parking		
Sidewalks		
Water and Sewer		
Excavation and Backfill		
Termite Treatment		
Sub-Total Site Preparation Costs	\$ 0	
(6) Other (Specify)	\$ 0	1
(7) Sub-Total Site Costs	ψ <u>U</u>	· \$ 0
Construction Contract		Ψ
(8) Cost of Materials [Include]		
General Requirements		
Concrete/Masonry		
Woods/Doors & Windows/Finishes		
Thermal & Moisture Protection		
Equipment/Specialty Items		
Mechanical/Electrical	477.050	
Sub-Total Cost of Materials	\$ 177,350	
(9) Cost of Labor	\$ 265,400	
(10) Other	<del></del>	
(11) Sub-Total Construction Contract		\$ 442,750
Miscellaneous Project Costs		
(12) Building Purchase	\$ 0	
(13) Fixed Equipment Purchase/Lease	\$ 2,254,555	
(14) Movable Equipment Purchase/Lease	\$ 0 \$ 3,500 \$ 0	
(15) Furniture	\$ 3,500	
(16) Landscaping	\$ 0	
(17) Consultant Fees		
Architect and Engineering Fees	\$ 46,500	_
Legal Fees		
Market Analysis		
CON Preparation		
Sub-Total Consultant Fees	\$ 46,500	_
(18) Financing Costs (e.g. Bond, Loan, etc.)	\$ 0	_
(19) Interest During Construction	\$ 0	
(20) Other (IT Cost)	\$ 15,000	
(21) Sub-Total Miscellaneous		\$ 2,319,555
(22) Total Project Capital Cost (Sum A-C above)		\$ 2,762,305

# Appendix B Project Time Line

#### XII. Proposed Development Schedule

Project the specific dates (i.e., month, day & year) for each of the following milestones. If a milestone is not applicable, please enter NA and explain why it is not applicable on a separate page.

Note that the schedule which you propose is extremely important. The timetable you provide determines (1) the period of time during which the project must be developed, and (2) the time(s) at which the Agency shall request a progress report(s). Therefore, this schedule should reflect the actual date each milestone is anticipated to be completed. If the CON decision is made on a later date than the one identified in 1.(a) in the timetable below, the schedule will be adjusted accordingly by the Certificate of Need Section.

1	Certificate of Need  (a) Anticipated Date of Decision  (b) Date of Issuance of the Certificate of Need	
2	Financing  (a) Obtaining Construction Financing  (b) Obtaining Permanent Financing  (c) Obtaining Funds Necessary to Undertake Project	
3	Design  (a) Completion of Preliminary Drawings  (b) Completion of Final Drawings  (c) Approval of Final Drawings by Construction Section, DHSR	4.14.14 6.9.14 8.4.14
4	Construction  (a) Approval of Site by Construction Section, DHSR  (b) Contract Award (Notice to Proceed)  (c) 25% Completion of Construction  (d) 50% Completion of Construction  (e) 75% Completion of Construction  (f) Completion of Construction  (g) Occupancy/Offering Services  *The site is an existing site	9.1.14 9.19.14 10.10.14 10.31.14 11.21.14 11.24.14
5	Acquisition of Medical Equipment  (a) Ordering Equipment  (b) Arrival of Equipment  (c) Operation of Equipment	4.1.14 10.27.14 11.24.14
6	Other Milestones  (a) Licensure of Facility (b) Certification of Beds (c) Other	11.24.14

# Appendix C Response to Key Questions

## Responses to the Required Questions

1. A comparison of the existing and replacement equipment, using the format in the attached table. Note: If the manufacturer's model and serial numbers for the existing equipment are not provided, the exemption request will not be processed until the numbers are provided.

Reference Appendix D for the equipment comparison table

2. A description of the basic technology and functions of the existing and replacement equipment, including diagnostic and treatment purposes for which the equipment is used or capable of being used.

Existing equipment treats 2D, 3D-CRT, Compensator based IMRT, electron treatments, and port films. Uses 6 and 15 MV. The new equipment treats 2D, 3D-CRT, MLC based IMRT, Rapid Arc, IGRT with kv CBCT and kv 2D. Equipped with MLC, Portal Vision, and kv imaging.

3. Brochures or letters from the vendor describing the capabilities of the existing equipment and the replacement equipment.

Brochures regarding the existing equipment are no longer available. Reference Appendix E for the vendor information regarding the new Varian Clinac iX system.

4. A copy of the purchase order for the existing equipment, including all components and original purchase price.

Reference Appendix F vendor quote and invoices for the original equipment

5. A copy of the title, if any, for the existing equipment or the capital lease for the existing equipment.

Not Applicable. No title exists for the existing equipment

6. If the replacement equipment is to be leased, a copy of the proposed capital lease that transfers substantially all the benefits and risks inherent in the ownership of the equipment to the lessee of the equipment, in accordance with criteria in Generally Accepted Accounting Principles (GAAP).

Not applicable. The replacement equipment will not be leased

7. If the replacement equipment is to be purchased, a copy of the proposed purchase order or quotation, including the amount of the purchase price before discounts and trade-in allowance.

Reference Appendix E for a copy of the quotation for the equipment being considered.

8. A letter from the person taking possession of the existing equipment that acknowledges the existing equipment will be permanently removed from North Carolina, will no longer be exempt from requirements of the North Carolina Certificate of Need law, and will not be used in North Carolina without first obtaining a new certificate of need.

Reference Appendix G for a copy of the letter from the person taking possession of the existing equipment that acknowledges the existing equipment will be permanently removed from North Carolina, will no longer be exempt from requirements of the North Carolina Certificate of Need law, and will not be used in North Carolina without first obtaining a new certificate of need.

9. Documentation that the existing equipment is currently in use and has not been taken out of service.

Reference Appendix H for the section of VBEA's license application that demonstrates the existing equipment is currently in use.

# Appendix D Equipment Comparison Tables

# Equipment Comparison

	EXISTING EQUIPMENT	REPLACEMENT EQUIPMENT
Type of Equipment (List Each Component)	Linear Accelerator	Linear Accelerator, ky imager
Manufacturer of Equipment	Siemens	Varian
Tesla Rating for MRIs	N/A	N/A
Model Number	Mevatron KDS2	Clinac iX
Serial Number	2183	Not available at this time
Provider's Method of Identifying Equipment	Serial Number	Serial Number
Specify if Mobile or Fixed	Fixed	Fixed
Mobile Trailer Serial Number/VIN #	N/A	N/A
Mobile Tractor Serial Number/VIN #	N/A	N/A
Date of Acquisition of Each Component	LinAcc acquired used in 2006	PO to Varian July 1, 2014
Does Provider Hold Title to Equipment or have a Capital Lease?	Purchased	Purchase
Specify if Equipment Was/Is New or Used When Acquired	Used – Unit manuf. In early 1990s	New
Total Capital Cost of Project(including construction, etc.)	Unknown	\$2,762,305
Total Cost of Equipment	899,500	\$2,254,555
Fair Market Value of Equipment	Fully depreciated	\$2,254,555
Net Purchase Price of Equipment	\$93,729	\$2,254,555
Locations Where Operated	Washington, NC	Washington, NC
Number Days in Use to be Used in N.C. Per Year	~260	~260
Percent of Change in Patient Charges (by Procedure)		Not anticipated to exceed normal annual price increase
Percent of Change in Per Procedure Operation Expenses(by Procedure)		No Increase Anticipated
Type of Procedures Currently Performed on Existing Equipment	Compensator based IMRT, IGRT (port films and	Compensator based IMRT, IGRT (port films and orthogonal pairs weekly), 3D-CRT, 2D, Electron
Type of Procedures New Equipment's Capable of Performing	IMRT, IGRT (2D and CBCT), 3D-CR1	IMRT, IGRT (2D and CBCT), 3D-CRT, 2D, Electron, RapidArc, Gating (4D)

# Appendix E Proposed Equipment Quote and Brochures



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Quotation For:

Carolina Moreno Marion Shepard Cancer Center 1209 Brown Street Washington, NC 27889 (252) 975 - 4308 [296] Please address inquiries and replies to:

Susan Thomas
Varian Medical Systems
2250 Newmarket Parkway
Suite 120
Marietta, GA 30067
(770) 955 - 1367 FAX: (678) 255 - 3850
susan.thomas@varian.com

Your Reference:	Quotation Firm Until: March 26, 2014
FOB Point: US2 FOB: Destination	Shipping Allocation: 1 Year ARO
Payment Terms: See Terms and Conditions	Varian Terms and Conditions of Sale 1652U Attached

#### Vidant Beaufort

20% due May 1st, 2014; 47% due no later than October 15th, 2014; 33% due no later than November 1st, 2014

Clinac iX w/OBI & RA ARIA Database (First Site)

Marion Shepard Cancer Center			Varian N	Medical Systems
Quotation Total of: USD \$1,989,0	,000	Accepted by:		
Signature:			Submitted by:	
Name:			•	
Title:				(Signature)
Date:	-		Name:	Susan Thomas
For this purchase, we designate NOVATION as our Institution's Primary Group Purchasing Organization affiliation.		Title:	District Manager	
Any change will be Indicated below:			Date:	March 18, 2014
☐ AmeriNet ☐ Aptium ☐	BJC	☐ Broadlane		
☐ CHW ☐ Consorta/HPG ☐	☐ KP Select	☐ Magnet		
☐ Matrix ☐ MedAssets ☐	☐ Novation	☐ Premier		
□ ROI □ USO □	☐ VA Gov	☐ None		

This document is confidential and intended solely for the information and benefit of the immediate recipient and Varian



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Item	Qty	Product Description	Offer Price
Section	on 1	Clinac iX with OBI, CBCT, Gating and RapidArc	
1.01	1	iX Package	1,505,877.00
1.02	1	High Energy Clinac iX	included
1.03	1	INCL ED: CL100 Clinac Basic Operations	Included
1.04	1	STD TRNG: Clinac iX Ops	Included
1.05	1	INCL ED: High-Energy Clinac Support	Included
1.06	1	Dual Photon Energy: 6/16 MV	Included
1.07	1	Display of Photon Energy: BJR11	Included
1.08	1	Photon Dose Rate: 600 MU/Min	Included
1.09	1	5 Electrons; Grp 3: 6,9,12,16,20 MeV	Included
1.10	1	Electron Dose Rate: 1000 MU/Min Maximum	Included
1.11	1	Size of Electron Applicators: 6cm x 6cm	Included
1.12	1	Upper Wedges: 30cm x 40cm	Included
1.13	1	Energy of Spec Electron Procedures: 6MeV	Included
1.14	1	Scale Convention: IEC601	Included
1.15	1	Counterweight	included
1.16	1	Three Piece Breakdown	Included
1.17	1	Existing Baseframe 52" Fixed Floor	Included
1.18	1	Exact Couch with IGRT Couch Top	Included
1.19	1	20" LCD Monitor	653.00
1.20	1	Millennium MLC, 120 Leaf	Included
1.21	1	MLC Communication System: With Shaper	Included
1.22	1	Large Field IMRT	Included



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ltem	Qty	Product Description	Offer Price
1.23	1	20" LCD Monitor	653.00
1.24	1	PortalVision: aS1000	Included
1.25	1	Portal Vision for 4DITC	Included
1.26	1	Laser Backpointer for PortalVision Arm	978.00
1.27	1	On-Board Imager	Included
1.28	1	INCL ED: CL201 OBI for Physicists	included
1.29	1	INCL ED: CL101 OBI for Therapists	Included
1.30	1	STD TRNG: OBI	Included
1.31	1	Cone Beam CT for On-Board Imager	Included
1.32	1	Remote Couch Motion	Included
1.33	1	NLS: English	Included
1.34	1	RapidArc Delivery Capability	Included
1.35	1	RapidArc Online Marketing Program	15,000.00
1.36	1	Enhanced Dynamic Wedge	Included
1.37	1	Auto Field Sequencing	Included
1.38	1	Advanced Dynamic MLC	Included
1.39	1	EXCI Interface to R&V System	Included
1.40	1	4D Integrated Treatment Console	Included
1.41	. 1	4DITC gX for Varian Image Mgmt Network	Included
1.42	1	In-Room 20" Monitor with Mounting Kit	2,271.00
1.43	1	Electron Arc Therapy: TBI, TBE and HDTSE	included
1.44	1	Beam Isocenter Accuracy: Fine	Included
1.45	1	Advanced RPM Gating System	Included



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				_
med	ical	l systems	Marion Shepard Cancer Center, Washington, NC	
Item	Qty	Product Description		Offer Price
1.46	1	3D for Advanced RPM Gating System		Included
1.47	1	Configured for Clinac		Included
1.48	1	INCL ED: CL222 Respiratory Gating		Included
1.49	1	Additional Advanced RPM Gating System		Included
1.50	1	3D for Advanced RPM Gating System		Included
1.51	1	Configured for Siemens CT		Included
1.52	1	Console Package, Deluxe Roll In Console		Included
1.53	1	Remote Access Smart Connect Ready		included
1.54	1	Factory Data Set		Included
1.55	2	Fine Photon Match to iX/EX/TRI: Per Beam	1	Included
1.56	5	Fine Elect Match to iX/EX/TRI: Per Beam		Included
			Section Total \$	1,525,432.00
Sectio	n 2			
2.01	1	CIVCO Body Pro-Lok Deluxe		Included

Section	2			
2.01	1	CIVCO Body Pro-Lok Deluxe		Included
2.02	1	Exact IGRT Bar		Included
2.03	1	Patient Intercom		Included
2.04	1	CCTV Camera Qty 2; 15" Monitor Qty 2		Included
2.05	1	4 LAP Apollo Green Lasers		Included
2.06	1	Transtector Power Cond., Dual HE & OBI		Included
			Section Total \$	0.00

Section 3



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Item	Qty	Product Description		Offer Price
3.01	1	Remove/Dispose Existing Equipment		Included
			Section Total \$	0.00
Sectio	n 4	ARIA Database (first site)		
4.01	1	Data Transfer IMPAC to ARIA RO Level 3		23,255.00
4.02	1	Varian System DB Replacing 3rd Party OIS		24,750.00
4.03	1	STD TRNG: ARIA		Included
4.04	1	ARIA T-Box		Included
4.05	135	CONSULT: Hr Rate RO Consulting Services		28,512.00
4.06	15	ARIA RO Smart Space		56,227.00
4.07	1	ARIA Disease Mgmt Smart Space		7,342.00
4.08	1	STD TRNG: ARIA RO EMR		Included
4.09	9	Addl ARIA Disease Mgmt Smart Space		19,765.00
4.10	3	ARIA Oncology Imaging Smart Space		14,850.00
			Section Total \$	174,701.00
Sectio	n 5			
5.01	1	Software Trade-In Allowance		-99,344.00
		· · · · · · · · · · · · · · · · · · ·	Section Total \$	-99,344.00
		·		
Sectio	n 6	Interfaces		
6.01	1	Information Exchange Manager (IEM) RO		Included



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Item	Qty	Product Description		Offer Price
6.02	1	ADT into ARIA RO HL7		6,640.00
6.03	1	Billing Out of ARIA RO HL7		6,640.00
6.04	1	Lab Results into ARIA RO 501-1000 HL7		8,115.00
6.05	1	Results/Image Report into ARIA RO HL7		2,213.00
6.06	1	Results/Path. Report into ARIA RO HL7		2,213.00
6.07	1	Scheduling into ARIA RO HL7		5,902.00
6.08	1	Scheduling out of ARIA RO HL7		5,902.00
6.09	1	Document into ARIA RO HL7		4,795.00
6.10	1	Document out of ARIA RO HL7		4,795.00
			Section Total \$	47,215.00
Sectio	n 7			,
7.01	1	XMedius Fax Package for ARIA RO		4,117.00
			Section Total \$	4,117.00
Sectio	n 8			
8.01	5	Varian Flex-Credit		4,194.00
			Section Total \$	4,194.00
Sectio	n 9	Eclipse		
9.01	1	Eclipse Base Integrated with ARIA		30,738.00
9.02	1	INCL: Color Printer		included



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Item	Qty	Product Description	Offer Price
9.03	2	Eclipse Advanced Planner Desktop	102,111.00
9.04	1	Eclipse RapidArc Planning License-Primary	61,891.00
9.05	1	SmartSeg Knowledge Based Contouring Pkg	36,468.00
9.06	1	Smart Adapt	16,500.00
9.07	1	Acuros External Beam	26,049.00
9.08	1	Portal Dosimetry Package	20,761.00
9.09	1	INCL ED: EC101 Eclipse Basic Operations	Included
9.10	1	INCL ED: EC102 Eclipse Inv Plng IMRT RA	Included
9.11	1	INCL ED: EC112 Eclipse Inv Ping RA	included
9.12	1	INCL ED: 3D BrachyVision on Eclipse	Included
9.13	1	INCL ED: EC201 Eclipse Comm I Admin	Included
9.14	1	INCL ED: EC202 Eclipse Comm II IMRT	Included
9.15	1	INCL ED: EC203 Portal Dosimetry	Included
9.16	1	STD TRNG: Eclipse	Included
9.17	1	STD TRNG: SmartAdapt	Included
9.18	1	Eclipse Calculation Workstation	3,751.00
9.19	1	Eclipse Conversion/Promotion	Included
		Section Tot	al \$ 298,269.00

Section 10		Eclipse Calculation Hardware for Citrix	
10.01	3	Framework Agent Server	34,416.00
		Section Total \$	34,416.00
		Quotation Total \$	1,989,000.00



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Marion Shepard Cancer Center, Washington, NC

Item

Qty

**Product Description** 

Offer Price

There may be radiological regulatory requirements applicable to possessing and/or operating radiation generating machines. Varian takes no responsibility regarding local radiation safety requirements.

These requirements are the customer's responsibility.

**End of Support:** Varian may terminate the Agreement at the end of support of the Product that is the object of the Support Services by giving **twenty-four (24) months** written notice to the Customer. However, Varian may shorten this notice period in its sole discretion if termination is required due to key component obsolescence issues or material product quality concerns.

#### **Terms & Conditions of Sale**

This offer is subject to credit approval and is exclusive of any applicable sales taxes or duties.

If Customer chooses to pay by credit card, a four percent (4%) service fee will be added.

#### **Vidant Beaufort**

20% due May 1st, 2014; 47% due no later than October 15th, 2014; 33% due no later than November 1st, 2014

FINANCING AVAILABLE: For lease and finance plans, call Tony Susen, Director - Varian Customer Finance, at (508) 668-4609.



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Treatment Techniques

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For Patients

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Home > Us > Oncology > Radiation Oncology > Clinac

RADIATION ONCOLOGY

Acuity

ARIA

Eclipse

Clinac

Overview

Comprehensive Product Suite

Clinac iX Linear Accelerator

Clinac 21EX/23EX and

Platinum

Clinac 6EX

Clinac 2100C Family

Silhouette

**Treatment Techniques** 

Treatment Delivery

Technology

Benefits of Clinac

**Product Resources** 

Trilogy

TrueBeam

Upgrades

**BRACHYTHERAPY** 

RADIOSURGERY

PROTON THERAPY

MOTION MANAGEMENT

Overview

Targeted treatments – making cancer a manageable disease The right dose. The right place. The right time.

Varian® delivery systems enable clinicians to pick the best treatment option with a wide range of practical therapy choices. To enhance the effectiveness of these treatments, Varian also offers unparalleled real-time position management and exacting dose output - vital tools for achieving personalized cancer care and making cancer a manageable disease.

#### The Right Dose for Fewer MUs

The Varian Clinac® delivers the exact prescribed dose to the patient in the lowest number of monitor units (MUs) possible - without sacrificing efficacy - every time.

- Reliable dose Varian's real-time beam steering and dual sealed ion chamber helps ensure that optimal beam symmetry, flatness, and dosimetry are delivered throughout all gantry angles.
- Enlarge +
- Fast treatment times a unique energy switch to deliver the highest possible dose rates for all energies.
- Precise treatment accurate beam control results in improved conformity to the tumor and sharp images
  - Waveguide produces a very stable, sharp beam spot.
  - · Gridded gun fast beam-on, beam-off control.
  - · Energy switch enables delivering high doses quickly.
  - · Bending magnet maintains the small, sharp beam focal spot.

#### The Right Place for the Highest Conformity

Delivering the dose to the right place is a function of industry leading products working in concert. These innovations include the highest resolution multileaf collimator (MLC), the most capable dynamic control software, the best treatment plan for driving delivery, and the most precise beam control.

VARIAN A partner for life

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# TRILOGY POWER. PRECISION. VERSATILITY.

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RADIOSURGERY

PROTON THERAPY

MOTION MANAGEMENT

Treatment Techniques

The most treatment choices for the best personalized care.

Only Varian Medical Systems offers you so many imaging, planning and treatment options. Our flexible technologies—the finest and most automated in the industry—make it possible for you to customize treatment to suit any of the clinical circumstances you may encounter.

#### RapidArc™ Radiotherapy Technology – one revolution is all it takes

The innovative RapidArc radiotherapy technology on a Trilogy® system represents the latest evolution of cancer treatment technology, setting new benchmarks for speed, precision and patient comfort.

RapidArc uses a unique algorithm that provides unprecedented treatment delivery control. As a result, treatment plans that excel in covering target goals while sparing critical structures can be developed and performed faster than ever before.



RapidArc is efficient. Its single gantry rotation speeds treatment delivery so clinicians can develop treatments that take one-half to one-eighth the time of conventional IMRT treatments—just two minutes in many cases. A RapidArc treatment may also result in less radiation leakage and scatter, so peripheral tissues receive a lower overall dose.

Varian IGRT — The future is in motion. We'll be there to help you manage it.

#### Deliver IMRT without holding your breath.

While IMRT is a way of conforming dose to the target, IGRT makes it possible to account for respiration and be assured that the target is in the same position every day.

With Varian IGRT, innovative radiographic, fluoroscopic and cone beam CT modes are integrated with automated repositioning and motion management visualization software, so you can verify treatments that are synchronized with respiration.



IGRT lets you obtain high resolution, three dimensional images to pinpoint tumor sites, adjust patient positioning when necessary, and complete a treatment–all within the

standard treatment time slot. With IGRT, even sophisticated IMRT and stereotactic IMRT become more efficient.

Clinical features of IGRT from Varian

noose from the widest array of integrated in-room imaging tools to meet any clinical need-cone beam CT, radiographic, fluoroscopic, MV imaging, optical imaging and ultrasound

- Adapt therapies at treatment with advanced IGRT motion management and remote couch motion
- Manage organ motion for patient free breathing, breath-hold or gating with the Realtime Position Management™ (RPM) system
- Share data across the health enterprise with our comprehensive oncology information system
- Get better image guidance. Powerful treatment planning enables clinicians to combine CBCT. PET, CT and MR images

#### Varian IMRT - Better technology at every step.

IMRT is fast becoming the standard of care. Not all tumors are alike. Varian IMRT optimize all forms of IMRT delivery, from low resolution to high resolution. Choose the resolution you need according to each clinical situation.

IMRT "paints" dose to the tumor with pinpoint precision, while sparing healthy normal tissue. Its performance has been so impressive that clinicians around the world are using it in the



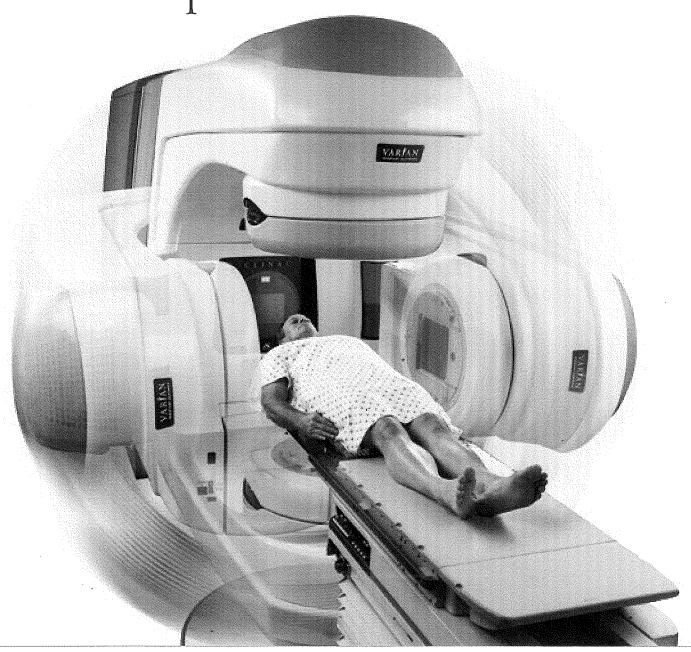
treatment of nearly every type of solid tumor. Increasingly, clinics are treating patients with in IMRT and nearly every new linear accelerator ordered from Varian is equipped to deliver IMRT. It has proven to be an extremely effective way to treat cancer and improve patients' lives during treatment and beyond.

#### Clinical benefits of high resolution IMRT

- · Minimizes hot spots
- · Improves target inhomogeneity
- · Provides detailed dose painting to the target
- Sculpts dose around critical structures more effectively
- · Allows treatments to occur in conventional 10 to 15 minute time slots
- · Dose resolution-up to 500 segments per field
- · Spatial resolution: 2.5mm-5mm

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RapidArc. One revolution is all it takes.





"Previous approaches to arc IMRT therapy have been restrictive. Some are limited by machine design, and deliver treatments in the axial plane only, making it impractical to treat certain anatomical sites."

> William F. Regine, MD, Chairman, Department of Radiation Oncology, University of Maryland School of Medicine, and Chief of Radiation Oncology, University of Maryland Medical Center



# Introducing RapidArc.

RapidArc™ radiotherapy technology by Varian Medical Systems makes it possible to deliver all the benefits of IMRT in dramatically shorter treatment times.

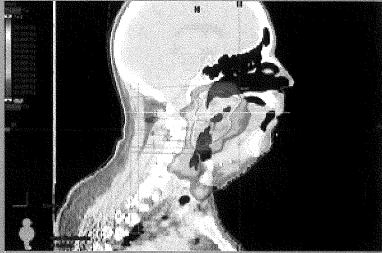
Rapid Arc delivery uses Dynamic MLC, variable dose rate, and variable gantry speed to generate IMRT-quality dose distributions in a single optimized arc around the patient. Clinicians can now deliver continuously modulated dose to the entire tumor volume while sparing more normal, healthy tissue.

RapidArc represents a major advance in radiation therapy.

RapidArc. Revolutionizing IMRT.



A treatment plan for head and neck cancer using conventional IMRT



A treatment plan for head and neck cancer using RapidArc delivery RapidArc achieves treatment objectives better than today's best IMRT techniques.

"RapidArc is extremely time-efficient, which contributes to patient comfort and improved throughput."

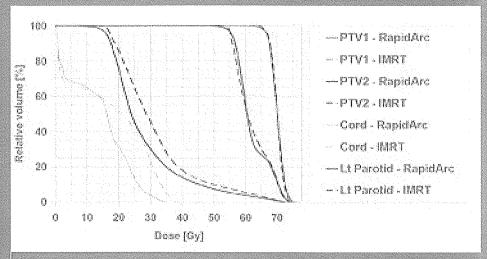
Cedric Yu, DSc, Carl M. Mansfield, MD, Professor of Radiation Oncology, University of Maryland Medical Center

# RapidArc is fast.

RapidArc delivery establishes an entirely new benchmark for speed: a complete IMRT-quality treatment can be delivered in less than two minutes. RapidArc can improve patient comfort by dramatically reducing the amount of time patients spend on the treatment couch. Faster treatments accelerate patient throughput. With RapidArc, clinicians can consider treating more patients per day and giving each patient more focused attention.

# RapidArc is efficient.

RapidArc delivery combines unprecedented speed with uncompromised quality. A RapidArc delivery produces as little as 600 MU per fraction.\* Fixed-field IMRT treatments of similar quality can easily generate 1,000 to 3,000 MU. RapidArc's single gantry rotation not only speeds treatment delivery, but may also result in less leakage, less scatter, and lower overall peripheral dose than conventional IMRT treatments.



A DVH illustrates the dose conformity and critical organ sparing achievable with RapidArc compared to equivalent target coverage using conventional IMRT.

# RapidArc is precise.

RapidArc planning, powered by the Eclipse™ treatment planning system, uses a unique algorithm to simultaneously modulate aperture shape, dose rate, and gantry speed at every gantry angle. This results in improved dose conformity for greater normal tissue sparing. Precisely conformal dose distribution and uniform target coverage increase the probability of tumor control without complications.

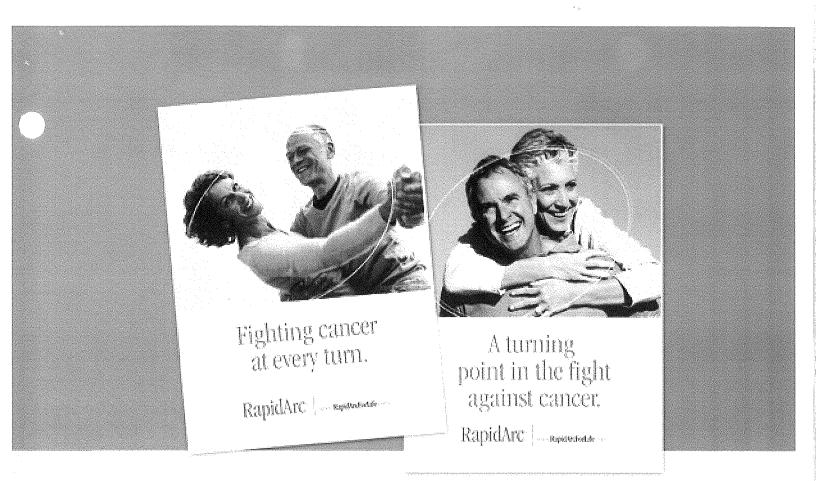
# RapidArc is simple.

RapidArc planning enables clinicians to develop IMRT quality treatments with a single arc – even for complex IMRT treatments typically requiring nine or more fields. Only Eclipse has algorithms specially designed for RapidArc delivery.

RapidArc joins the toolset of clinical capabilities supporting static fields, noncoplanar treatments, electron therapy, and conventional forms of IMRT, IGRT, SBRT, and SRS. The latest technology with no compromise.

"The speed of MLC motion, gantry rotation speed, and dose rate are all used by the algorithm to ensure the treatment is delivered efficiently and accurately."

Karl Otto, PhD, Medical Physicist, British Columbia Cancer Agency





# RapidArc marketing is **powerful**.

The materials in the RapidArc Hospital Marketing Kit are specifically designed to help build awareness of your facility and promote RapidArc to patients, physicians, and your community.

The RapidArc marketing program includes sample materials and an image library to support a full range of communications, including:

- Public relations
- Advertising
- Direct marketing
- Open houses
- Presentations
- Website promotions

# Experienced leadership.

Varian Medical Systems has been an innovator in the field of radiation therapy since 1954. During that time, Varian has earned a solid reputation for introducing promising new oncology treatment solutions. Today, most leading clinics in America use Varian products.\* Thousands of physicians have used Varian equipment to treat millions of patients in the fight against cancer.

RapidArc delivery. It's fast. It's precise. It's personal. And it is the latest example of how we use the experience of the past to build hope for the future.

Learn more at www.varian.com/RapidArc

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Varian Medical Systems India Pvt Ltd. Chennai, India Tel: 91.44.28295970 Fax: 91.44.28295980

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Varian Medical Systems Nederland B.V. Houten, Netherlands Tel: 31.30.634.0506 Fax: 31.30.636.2466 Scandinavia

Varian Medical Systems Scandinavia AS Herley, Denmark Tel: 45.44.500.100 Fax: 45.44.500.190

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Varian Medical Systems K.K. Chuo-ku, Tokyo, Japan Tel: 81.3.3639.9700 Fax: 81.3.3639.9623

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Varian Medical Systems do Brasil Ltda, São Paulo, Brazil Tel: 55.11.3457.2655 Fax: 55.11.3286.0034

Australian headquarters

Australia

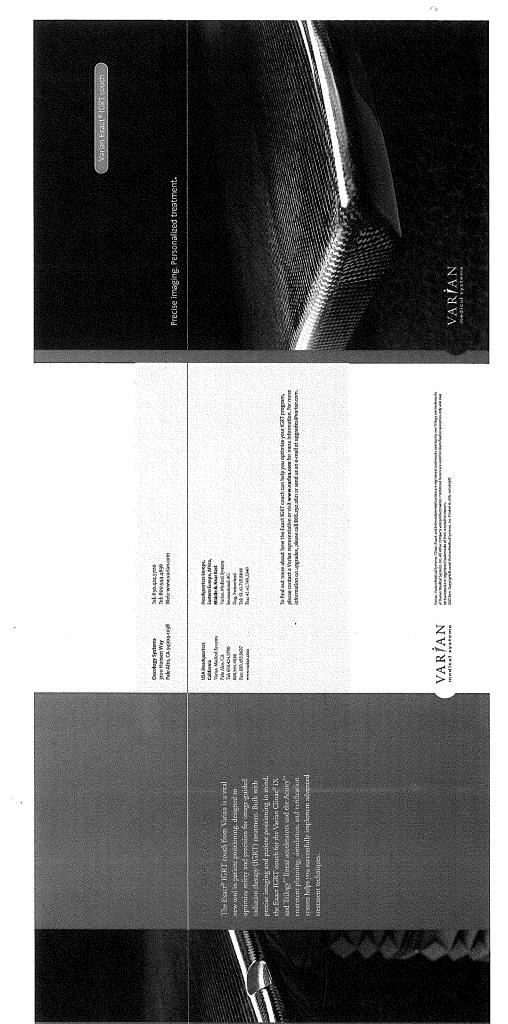
Varian Medical Systems Australasia Pty Ltd. Sydney, Australia Tel: 61.2.9485.0111 Fax: 61.2.9485.0119

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RAD 10008B | Printed in USA. 5/08 (10M)



## Exact IGRT couch overview

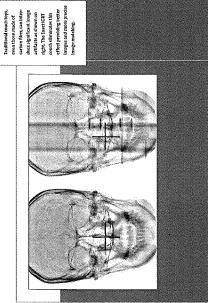
- Made with advanced carbon fiber for rigid support of patients up to 500 pounds Free of metal and other artifact-creating materials to facilitate radiographic,
- Designed to maximize machine clearance and minimize dose perturbation

fluoroscopic, and CBCT-guided therapies

 Interchangeable with the Exact couch for greater choice and easy upgrades. Fully compatible with existing Indexed Immobilization accessories



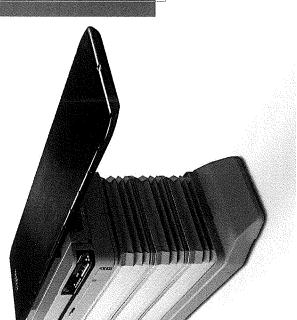
Images-frendly design
Manufacted from robust carbon fiber free of metal and without heavy carbon sections, and as rails and grids, the Exact IGST cooth offices a low-arrenantion solution.
This wastly improve usability for clinicians by increasing the number of heam angles
that can be imaged and reducing the number of artifacts in advanced IGRT imaging
rechingers such as cone-beam computed tomography (CBCT). Better images hely you
provide more accurate treatments for gatients.



•

Full compatibility
Effective transment depends on peckie and consistent patient setup. The Exact IGKT
couch is fully compatible with existing immobilization accessories featuring Varian's
licensed Indexed Immobilization's patient positioning technology; which are designed
to lock into place according to treatment that appreciations. This helps ensure precise
and repeatable praters scrup from simulation through treatments.

Furthermore, for clinics that already own an Exact couch, Varian offers an upgrade path to replace only the top, thereby reducing the total cost of ownership.

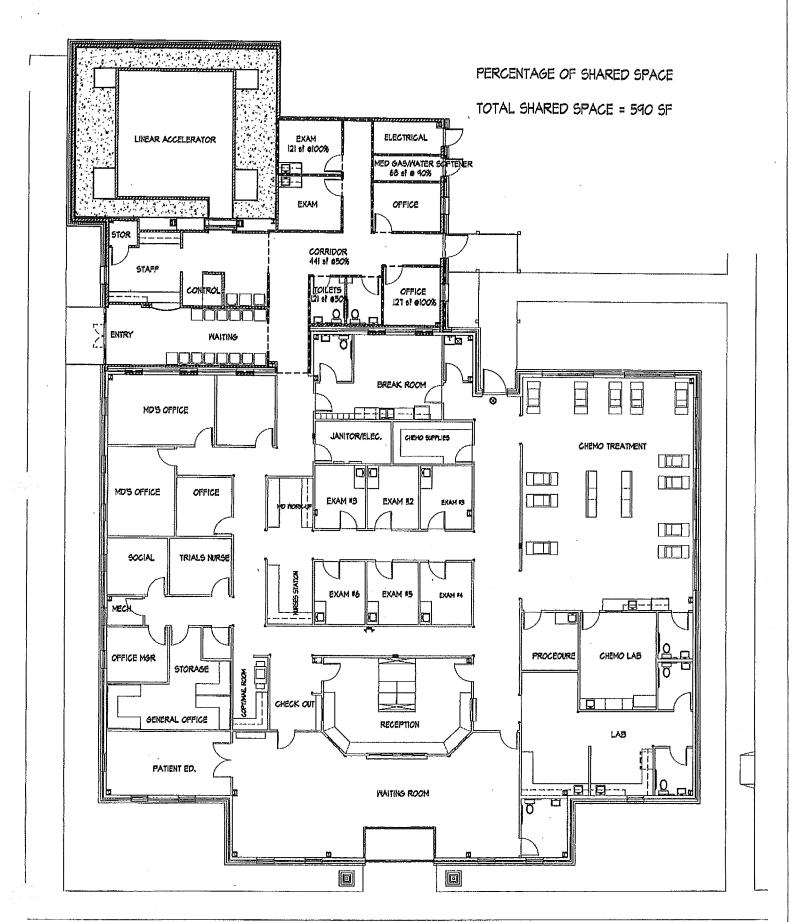


Treatment-friently design
The Exact IGST couch has been designed with people in mind. Due to its wery rigid
and robust construction, it will safely support a parient weighing up to 500 pounds
for routine treatment and extends to easily accommodate tall patients and very long
treatment folials. By reheing does binding, the carbon fiber design is also optimized for
shin sparing. This treatment friendly approach haps you achieve safe, precise
positioning for delivering HMR1 and IGRT.

## Appendix F Original Equipment Quote and Invoices



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accepted by Purcl	ıaser a	s quoted	<u> </u>		
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628 East 12th Street First Citizens Bank as \* Boovfort County Hospital Washington, NC 27889

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DATE: 01/18/06

TWENTY-NINE THOUSAND EIGHT HUNDRED FIFTY 00/100

\*\*\*\$29850.00

VOID AFTER 90 DAYS

TO THE RSSA, INC.
ORDER OF 465 FORUM PARKWAY
RURAL HALL, NC 27045

#133132# COS3100300C004401170458#

**~DDD 278 50DD~** 

Serial #: 133132

Amount: 29850.00

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Serial #: 133132

Amount: 29850.00

RS&A, Inc. 465 Forum Parkway Rural Hall, NC 27045 Ph. (800) 320-4332 www.rsa-inc.com

Kenneth Wate

### INVOICE

DATE	INVOICE NO.
6/6/2006	3082

BILL TO:

Beaufort County Hospital 628 East 12th Street Washington, NC 27889 Attn: Accounts Payable SHIP TO:

Beaufort County Hospital 628 East 12th Street Washington, NC 27889

RO: NUMBER	TERMS	REP	SHIP DATE	SHIP VIA		RO,B;		PROJECT
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						Sales Tax (7.0	%)	\$4,179.00 \$63,879.00

# Appendix G Documentation of Removal of Existing Equipment



March 27, 2014

Christopher Overall Marion Shephard Cancer Center 1209 Brown Street Washington, NC 27889

Dear Mr. Overall,

Varian Medical Systems will remove and dispose of the existing Siemens Mevatron KDS2 Linear Accelerator from Marion Shephard Cancer Center, with the purchase of the Varian Clinac iX, quote # SXM20130312-004F.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Susan S. Thomas

Susan L. Thomas District Sales Manager Varian Medical Systems

# Appendix H Documentation Existing Equipment is Currently in Use

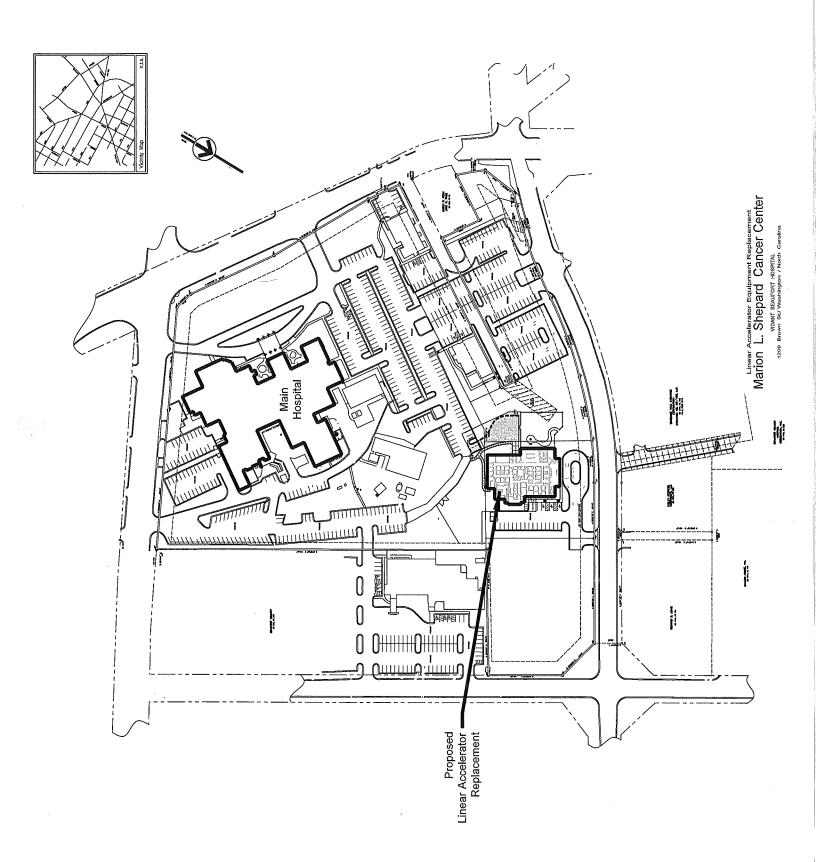
All responses should pertain to October 1, 2012 through September 30, 2013.

License No: H0188
Facility ID: 932963

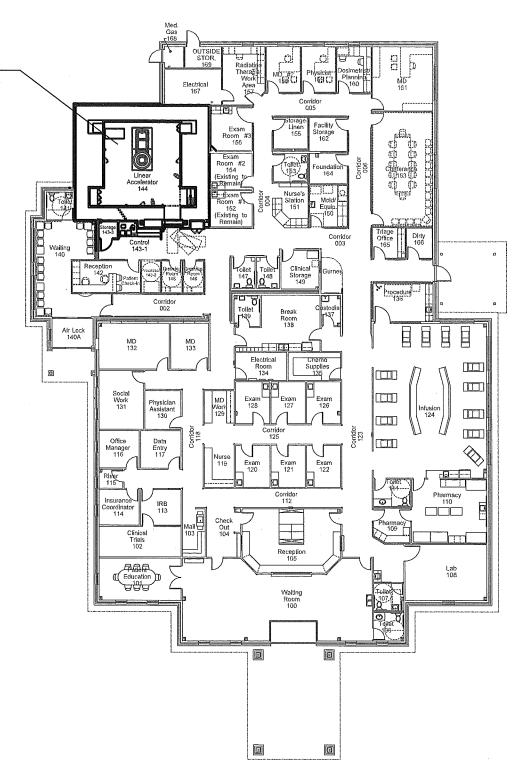
### 11. Linear Accelerator Treatment Data (including Cyberknife® & Similar Equipment)

CPT Code	Description	# of Procedures
Simple Trea	tment Delivery	
77401	Radiation treatment delivery	
77402	Radiation treatment delivery (<=5 MeV)	
77403	Radiation treatment delivery (6-10 MeV)	75
77404	Radiation treatment delivery (11-19 MeV)	69
77406	Radiation treatment delivery (>=20 MeV)	
Intermediate	e Treatment Delivery	
77407	Radiation treatment delivery (<=5 MeV)	
77408	Radiation treatment delivery (6-10 MeV)	4-6
77409	Radiation treatment delivery (11-19 MeV)	52
77411	Radiation treatment delivery (>=20 MeV)	
Complex Tr	eatment Delivery	
77412	Radiation treatment delivery (<=5 MeV)	
77413	Radiation treatment delivery (6-10 MeV)	1,090
77414	Radiation treatment delivery (11-19 MeV)	1,018
77416	Radiation treatment delivery (>= 20 MeV)	,
Other Treats	ment Delivery Not Included Above	
77418	Intensity modulated radiation treatment (IMRT) delivery	
77372	Radiation treatment delivery, stereotactic radiosurgery (SRS), complete course	
	of treatment of cranial lesion(s) consisting of 1 session; linear accelerator	
77373	Stereotactic body radiation therapy, treatment delivery, per fraction to 1 or	
	more lesions, including image guidance, entire course not to exceed 5 fractions	
G0339	(Image-guided) robotic linear accelerator-based stereotactic radiosurgery in one session or first fraction	
G0340	(Image-guided) robotic linear accelerator-based stereotactic radiosurgery,	, , , , , , , , , , , , , , , , , , , ,
00340	fractionated treatment, 2nd-5th fraction	
	Intraoperative radiation therapy (conducted by bringing the anesthetized	
	patient down to the linac)	
	Pediatric Patient under anesthesia	
	Neutron and proton radiation therapy	
	Limb salvage irradiation	
	Hemibody irradiation	
	Total body irradiation	
Imaging Pro	cedures Not Included Above	
77417	Additional field check radiographs	470
	Total Procedures – Linear Accelerators	2,819
Gamma Kni	fe® Procedures	
77371	Radiation treatment delivery, stereotactic radiosurgery (SRS), complete course	
	of treatment of cranial lesion(s) consisting of one session; multisource Cobalt 60 based (Gamma Knife®)	
	Total Procedures – Gamma Knife®	

### Appendix I Site and Floor Plans



Proposed Linear Accelerator Replacement



Marion L. Shepard Cancer Center

VIDANT BEAUFORT HOSPITAL
1209 Brown St./ Washington / North Carolina