



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

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Mark Payne
Assistant Secretary for Audit and
Health Service Regulation

February 11, 2016

Catharine W. Cumber
Duke University Health System
3100 Tower Blvd.
Durham, NC 27707

Exempt from Review

Record #: 1869
Facility Name: Duke University Health System
Business Name: Duke University Health System
Business #: 639
Project Description: Upgrade information technology storage
County: Durham

Dear Ms. Cumber:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that based on your letter of January 27, 2016, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(3). Therefore, you may proceed to offer, develop or establish the above referenced project without a certificate of need.

However, you need to contact the Agency's Acute and Home Care Licensure and Certification Section 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 Agency. 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 original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Bernetta Thorne-Williams
Bernetta Thorne-Williams
Project Analyst

Martha J. Frisone
Martha J. Frisone, Assistant Chief
Certificate of Need

cc: Acute and Home Care Licensure and Certification Section, DHSR
Kelli Fisk, Program Assistant, Healthcare Planning, DHSR

Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

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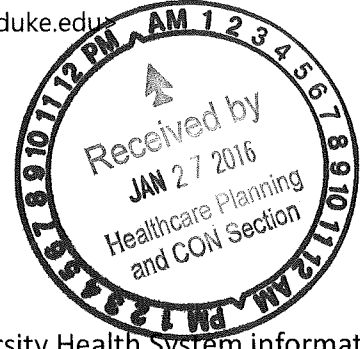
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Record # 1869 Business 639

Evans, Stephanie

From: Catharine Cummer <catharine.cummer@duke.edu>
Sent: Wednesday, January 27, 2016 11:04 AM
To: Frisone, Martha; Williams, Bernetta
Cc: Evans, Stephanie; Caroline Niblock
Subject: RE: DUHS IT Notice of Exemption



Martha and Bernetta,

I am writing to provide the CON Section with notice of a Duke University Health System information technology project at a capital cost greater than \$2 million. Duke plans to purchase a three-year EMC Enterprise License Agreement (ELA) for Duke Health Storage software and related data storage tools. To the extent that this project would be considered a new institutional health service, it is our understanding that this project is exempt from certificate of need review as necessary for the acquisition and installation of data processing equipment. We would appreciate your confirmation of this understanding. Please let me know if you have any questions about this project. Thank you very much.

Yours,
Catharine

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