



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

December 22, 2021

Daniel T. Waller
Danny.waller@onslow.org

Exempt from Review – Replacement Equipment

Record #: 3765
Date of Request: December 16, 2021
Facility Name: Onslow Radiation Oncology, LLC
FID #: 061343
Business Name: Onslow Memorial Hospital, Inc.
Business #: 1354
Project Description: Temporarily replace a fixed linear accelerator with a mobile linear accelerator until a replacement fixed linear accelerator is operational
County: Onslow

Dear Mr. Waller:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that the above referenced project is exempt from certificate of need review in accordance with G.S. 131E-184(a)(7). Therefore, you may proceed to acquire without a certificate of need a mobile linear accelerator from Alliance Healthcare Services, Inc. to temporarily replace the fixed linear accelerator approved to be replaced pursuant to Project ID# P-12027-21 until the new, permanent fixed linear accelerator is installed and operational. This determination is based on your representations that once the new permanent linear accelerator is installed and operational, the mobile linear accelerator from Alliance Healthcare Services, Inc. will be immediately removed from the State and will not be used again in the State without first obtaining a certificate of need if one is required.

It should be noted that the Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this office and a separate determination. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Gregory F. Yakaboski, Project Analyst

Micheala Mitchell, Chief

cc: Radiation Protection Section, DHSR
Construction Section, DHSR

**NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION
HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION**

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



December 16, 2021

Ms. Micheala Mitchell, Chief
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: Filing of Exemption Notice for Onslow Radiation Oncology, LLC to Temporarily Lease a Mobile Linear Accelerator as Replacement for Fixed Linear Accelerator

Dear Ms. Mitchell:

Onslow Radiation Oncology, LLC (ORO) and Onslow Memorial Hospital, Inc. (OMH) were approved pursuant to Project ID # P-12027-21 to acquire a replacement linear accelerator. As explained in Project ID # P-12027-21, the CON-approved project requires that a portion of the existing vault be demolished and rebuilt to accommodate the removal of the existing equipment and the installation of the replacement equipment. Please accept this letter as notification by ORO and OMH of the intent to temporarily lease a mobile linear accelerator as a temporary replacement for ORO's existing fixed linear accelerator during the installation of the permanent replacement linear accelerator in order to avoid a disruption in service. The temporary mobile linear accelerator will be removed from ORO upon installation of the permanent replacement linear accelerator. The temporary mobile LINAC is coming from out of state by Alliance. Upon completion of the installation of our approved LINAC the temporary mobile unit will be removed from the state of North Carolina. We certify temporary mobile LINAC will not return to the State of North Carolina without obtaining appropriate CON approval.

Based on the above facts, ORO and OMH respectfully request that the Agency provide a written response confirming that ORO may operate the temporary mobile linear accelerator as described without CON review. If the Agency requires any additional information, please let us know as soon as possible.

Thank you for your attention to this matter. If you have any questions or require any additional information to consider this request, please do not hesitate to contact me at 910-577-2830.

Sincerely,

Daniel T. Waller
Senior Vice President of Support Services

From: [Yakaboski, Greg](#)
To: [Waller, Martha K](#)
Subject: Exemption Request- FW: [External] Emailing: Notice Temp LINAC CON Section 1-16-2021
Date: Thursday, December 16, 2021 3:03:12 PM
Attachments: [Notice Temp LINAC CON Section 1-16-2021.pdf](#)

Hey Martha,

Here is an Exemption Request I was emailed today.

Thanks,
Greg

Sincerely,

Gregory F. Yakaboski

Gregory F. Yakaboski
Project Analyst
Division of Health Service Regulation, Certificate of Need
NC Department of Health and Human Services

Help protect your family and neighbors from COVID-19.
Know the 3 Ws. Wear. Wait. Wash.
#StayStrongNC and get the latest at nc.gov/covid19

Office: 919-855-3873
Greg.Yakaboski@dhhs.nc.gov

809 Ruggles Drive, Edgerton Building
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-----Original Message-----

From: Danny Waller <Danny.Waller@onslow.org>
Sent: Thursday, December 16, 2021 1:27 PM
To: Yakaboski, Greg <greg.yakaboski@dhhs.nc.gov>
Cc: Carl Biber <Carl.Biber@onslow.org>; Michael Holdren <Michael.Holdren@onslow.org>; Penney Burlingame <Penney.BurlingameDeal@onslow.org>
Subject: [External] Emailing: Notice Temp LINAC CON Section 1-16-2021

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.<<mailto:report.spam@nc.gov>>

Greg,

Here is a signed copy of the letter request for temporary lease of mobile linear accelerator as we discussed on our phone conversation today. Please contact me if you have any additional questions or concerns as this mobile unit is new to everyone.

Thank you for contacting me.

Danny

Your message is ready to be sent with the following file or link attachments:

Notice Temp LINAC CON Section 1-16-2021

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