

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

#### VIA EMAIL ONLY

December 29, 2022

Denise M. Gunter

Denise.gunter@nelsonmullins.com

**Exempt from Review** 

**Record #:** 4100

Date of Request: November 16, 2022

Facility Name: Onslow Memorial Hospital, Inc.

FID #: 923383

Business Name: Onslow Memorial Hospital, Inc.

Business #: 1354

Project Description: Acquire Information Technology/Data Processing Equipment

County: Onslow

Dear Ms. Gunter:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that 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.

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,

Gregory F. Yakaboski Project Analyst

Micheala Mitchell

Micheala Mitchell

Chief

cc: Acute and Home Care Licensure and Certification 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



Denise M. Gunter T: 336.774.3322 F: 336.774.3372 denise.gunter@nelsonmullins.com

# NELSON MULLINS RILEY & SCARBOROUGH LLP ATTORNEYS AND COUNSELORS AT LAW

The Knollwood, 380 Knollwood Street Suite 530 Winston-Salem, North Carolina 27103 T: 336.774.3300 F: 336.774.3299 nelsonmullins.com

November 16, 2022

## **VIA EMAIL ONLY**

Micheala Mitchell, Chief North Carolina Department of Health and Human Services Division of Health Service Regulation Healthcare Planning and Certificate of Need Section 809 Ruggles Drive Raleigh, North Carolina 27603

Re: Capital Improvement Projects at Onslow County Hospital

Authority/Onslow Memorial Hospital (H0048)

Onslow County
FID #: 923383
Business #: 1354

Health Service Area VI

Dear Ms. Mitchell:

On behalf of Onslow County Hospital Authority ("OCHA"), the governing body of Onslow Memorial Hospital ("OMH") in Jacksonville, North Carolina, I am providing prior written notice of certain projects ("Projects") proposed to be undertaken at OMH. OCHA seeks the Agency's written confirmation that none of the Projects described herein requires CON review.

## **Description of Projects**

OMH is a 162-bed acute care, community hospital located at 317 Western Boulevard in Jacksonville. To continue providing state of the art care to its patients, OMH intends to update and modernize certain information technology, infrastructure and miscellaneous equipment. Each category is described below.

## 1. Information Technology

OMH proposes to acquire the Voalte platform solution, a unified care communications solution from Hillrom<sup>1</sup>. Voalte connects care teams inside and outside the hospital on an encrypted platform, supporting HIPAA compliance. Voalte reduces communication failures, improves efficiency, increases patient throughput and creates a quieter environment by significantly reducing overhead pages.

The estimated capital cost for the Voalte platform is \$1,287,241. OMH's proposed acquisition of the Voalte platform is exempt from CON review under N.C. Gen. Stat. § 131E-184(a)(3), the data processing exemption.

## 2 Infrastructure

OMH proposes to acquire or replace some items that are critical to its infrastructure. These items and their costs are set forth in the table below.

Item	Notes	Estimated Cost	
Emergency Generators (3):	Three generators are proposed; one is new and the other two are replacements	\$1,700,000	
Emergency Switchboard	Replacing the emergency power panels	\$700,000	
Auto Transfer Switches	Replacing the electrical switches that regulate commercial power and emergency power	\$1,300,000	
Switchboard SH	Replacing power panels that service the main hospital tower	\$700,000	
Emergency Power Distribution Equipment	Equipment that segregates emergency, normal and life safety electrical circuits.	\$650,000	
Chiller	Allows for redundancy of current chillers that provides cooling for HVAC systems	\$300,000	
Cooling Tower	Replacement that houses the chiller and related systems	\$150,000	
Building Addition for chiller, cooling tower, emergency generators and switchboard	The new chiller, cooling tower, emergency generators, and switchboard require a larger footprint than the current units; therefore, some construction needs to be done to accommodate them.	\$2,800,000	
Site Work for chiller, cooling tower,	The new chiller, cooling tower, emergency generators, and switchboard require a larger	\$500,000	

<sup>&</sup>lt;sup>1</sup> https://www.hillrom.com/en/solutions/voalte-platform/.

4871-7162-5791

Item	Notes	Estimated Cost
emergency generators	footprint than the current units;	
and switchboard	therefore, some site work needs	
	to be done to accommodate them.	
Chilled Water &	The pumps used to support the	\$150,000
Condenser Water Pumps	new air handlers.	
Chilled Water & Condenser Water Piping	The pumps used to support the new air handlers.	\$300,000
Mechanical / Electrical	This is cost of equipment and	\$700,000
Backfeed Connections	labor that will allow us to feed the	
	facility as we are putting the new electrical equipment in and	
	taking the old out.	
Deaerator Replacement	The deaerator tank in a boiler	\$300,000
Tank	acts as a feed water tank to store cold and hot fluid in order to	
	remove dissolved air or non-	
	condensable gases from the	
	fluid. Removing these gases	
	from the feed protects the boiler	
	or heater tubes from corrosion,	
	thereby increasing the life of the equipment.	

Each of these items is exempt from CON review pursuant to N.C. Gen. Stat. § 131E-184(a)(4). This provision exempts from CON review items such as "parking, heating or cooling systems, elevators, or other basic plant or mechanical improvements." None of the foregoing items is integral to a project that involves the construction of a new health service facility or portion thereof and that is subject to CON review.

# 3. Miscellaneous Equipment

The following table identifies the various pieces of equipment OMH proposes to acquire and their costs. The table includes explanatory notes where applicable.

Equipment	Notes	Location	Estimated Cost
Radiographic/	This replaces	Rad/Fluoro Room 1	\$750,000
Fluoroscopic System	older equipment		
DXH 900 Hematology	This replaces	Lab	\$216,596
Instruments	older equipment		
Replacement Fetal	Replaces older	Labor and Delivery	\$400,000
Monitor	and unsupported		
	equipment		
Replacement Nursing	Replaces older	Nursing	\$150,000
Stretchers	and unfixable	_	
	equipment		

Equipment	Notes	Location	Estimated Cost
Replacement ER	Replaces older	Emergency Room	\$150,000
Stretchers	and unfixable		
	equipment		
ENT Navigation System	New equipment	OR/ASC	\$134,723
Telemetry Upgrade	No construction is	Emergency Room	\$1,446,279
Project	required		
BiPap Device	BiPap is Bilevel	Emergency Room	\$93,096
	Positive Airway		
	Pressure; this		
	device is a type of		
	ventilator that		
	helps with		
	breathing by		
	pushing air into		
	the lungs.		
Bruker MALDI-TOF	Bruker is a	Lab	\$355,125
	manufacturer of		
	lab equipment.		
	MALDI stands for		
	matrix assisted		
	laser desorption ionization. MALDI		
	coupled with time		
	of flight (TOF)		
	mass		
	spectrometry is		
	used to sequence		
	proteins, map		
	biomolecules in		
	tissues, identify		
	microorganisms,		
	and analyze		
	several thousand		
	biochemical		
	assays in a day.		

None of these items is regulated equipment under the CON law. See N.C. Gen. Stat. § 131E-176(16)f1. 1-9. No item qualifies as major medical equipment under N.C. Gen. Stat. § 131E-176(14o). Accordingly, no item requires CON review.

## Conclusion

For the reasons stated in this letter, the Projects do not require CON review. We would appreciate the Agency's written confirmation as soon as possible. Please do not hesitate to let me know if you require further details.

Micheala Mitchell November 16, 2022 Page 5

Thank you for your time and consideration.

Sincerely,

Denise M. Gunter

cc: Lisa Pittman Derek Hunter (via email only) From: Denise Gunter
To: Stancil, Tiffany C

**Subject:** [External] FW: Notice of Exempt Acquisition Onslow Memorial

**Date:** Wednesday, November 16, 2022 12:41:48 PM

Attachments: Notice of Exempt Acquisition 4868-6664-3262 11-14-2022 4871-7162-5791 v.1.pdf

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This is the second letter. Thanks.

From: Denise Gunter

Sent: Wednesday, November 16, 2022 12:06 PM

**To:** Yakaboski, Greg < greg.yakaboski@dhhs.nc.gov>; tiffany.c.hunt@dhhs.nc.gov

Cc: Mitchell, Micheala L <micheala.mitchell@dhhs.nc.gov>; Pittman,Lisa

dhunter@ncdoj.gov) <dhunter@ncdoj.gov) <dhunter@ncdoj.gov>

Subject: Notice of Exempt Acquisition Onslow Memorial

Greg and Tiffany,

Attached for filing is another letter for Onslow Memorial for certain capital expenditure projects. Could you please confirm that you have received this?

Thanks and best regards.



DENISE M. GUNTER PARTNER

denise.gunter@nelsonmullins.com

She/Her/Hers

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