

# Agency Report

Novant Health, Inc.  
Adjusted Need Determination Petition

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*OR Petitioner 7:*

Novant Health, Inc.  
2085 Frontis Plaza Blvd.  
Winston-Salem, NC 27103  
Attn: Barbara Freedy, Director, CON

*Request:*

The petitioner requests an adjustment to the definition and criteria for “Chronically Underutilized ORs in Licensed Facilities” as set forth in Step 4(m), Chapter 6, “Operating Rooms”, of the Proposed 2010 SMFP, so that at least 36 full months of actual OR case volume data from the provider’s Hospital and Ambulatory Licensure Renewal Application is considered in determining whether the ORs are “operating in licensed facilities at less than 40% utilization.” Currently, the standard definition in chapter 6, Step 4(m) for “chronically underutilized Licensed Facilities” states, “licensed facilities operating at less than 40% utilization for the past two fiscal years, which have been licensed long enough to submit at least two License Renewal Applications to the Division of Health Service Regulation.”

*Background Information*

Chapter 2 of the Plan allows petitioners to recommend changes that may have a statewide effect early each calendar year. According to the Plan, “Changes with the potential for a statewide effect are the addition, deletion, and revision of policies and revision of the projection methodologies.”

Chapter 2 of the Plan also allows individuals to petition for an adjusted need determination in consideration of “...unique or special attributes of a particular geographic area or institution...,” if they believe their needs are not appropriately addressed by the standard methodology.

The change recommended by this petitioner would be a revision of the operating room need projection methodology, which, if approved, would have a statewide effect.

*Analysis/Implications*

The Agency has determined that the petition does not fit into the category of an adjusted need determination petition and, therefore, the petition should not be considered at this time.

*Agency Recommendation*

The Agency recommends that consideration of this petition be deferred until the Spring 2010 Acute Care Services Committee meeting.