



Technology & Equipment Committee - **DRAFT** Minutes

April 15, 2020
10:00 am – 12 Noon
WebEx Teleconference

Members Present: Dr. Lyndon Jordan III (Chair), Mr. Stephen DeBiasi, Hon. Barbara McKoy, Ms. Kelli Collins, Dr. Pamela Oliver, Dr. Dwight Perry, Dr. Christopher Ullrich
Members Absent: Sen. Gladys Robinson
Other SHCC Members Present:
Healthcare Planning Staff: Dr. Amy Craddock, Ms. Trenesse Michael, Dr. Tom Dickson, Dr. Andrea Emanuel, Ms. Elizabeth Brown, Ms. Melinda Boyette
DHSR Staff Present: Ms. Martha Frisone, Ms. Lisa Pittman, Ms. Fatimah Wilson, Ms. Gloria Hale, Ms. Celia Inman, Ms. Tanya Saporito, Ms. Julie Faenza
Attorney General’s Office: Ms. Kimberly Randolph

Agenda Items	Discussion/Action	Motions	Recommendations/ Actions
Welcome & Introductions	Dr. Jordan presided at the meeting. He welcomed members, staff and guests to the first Technology and Equipment Committee meeting scheduled for this year. He noted the meeting was open to the public, but that the meeting was not a public hearing. Therefore, discussion would be limited to members of the committee and staff. He stated that following the meeting, the Committee will forward its recommendations for review at the next SHCC meeting on May 20, 2020.		
Review of Executive Order No. 46 Reauthorizing the State Health Coordinating Council and Executive Order No. 122 Extending the State Health Coordinating Council	<p>Dr. Jordan reviewed Executive Order No. 46: Reauthorizing the State Health Coordinating Council and Executive Order 122: Extending the State Health Coordinating Council.</p> <p>Dr. Jordan mentioned he is the President of Wake Radiology. He acknowledges his practice relationships with Alliance and Novant Health with regards to MRI services. Dr. Jordan will recuse himself from the voting and discussion on the entire MRI section of the agenda.</p> <p>Mr. DeBiasi mentioned he is part owner of EmergeOrtho. He does not see any conflicts of interest with respect to any items on today’s agenda.</p>		

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	<p>Dr. Oliver mentioned she is affiliated with Novant Health. Novant Health filed comments related to the MRI petition. She will recuse herself from voting during the entire MRI section of the agenda.</p> <p>Ms. Collins is affiliated with Greensboro Imaging. She will recuse herself from the MRI Petition and Agency Report vote.</p>		
Approval of minutes from September 11, 2019	A motion was made and seconded to approve the minutes.	Mr. DeBiasi Ms. Collins	Motion approved
Cardiac Catheterization Equipment	<p>The Agency received no petitions or comments for cardiac catheterization.</p> <p>Ms. Michael reviewed the need methodologies pertaining to cardiac catheterization equipment. There are no policies.</p> <p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding the Cardiac Catheterization policy and methodology to the SHCC for the 2021 SMFP.</p> <p>Ms. Michael reviewed technical edits that will be made to the Cardiac Catheterization narrative. Edits added the allowance of cardiac catheterization equipment to be used in ambulatory surgical centers. They also included a heading to identify the difference between the fixed and mobile equipment sections of the narrative.</p> <p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding the Cardiac Catheterization narrative edits to the SHCC for the 2021 SMFP.</p>	<p>Dr. Oliver Hon. McKoy</p> <p>Dr. Perry Mr. DeBiasi</p>	<p>Motion approved</p> <p>Motion approved</p>
Gamma Knife®	<p>The Agency received no petitions or comments for the Gamma Knife section.</p> <p>Ms. Michael noted there are no policies or a need methodology pertaining to Gamma Knife.</p> <p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding the Gamma Knife section to the SHCC for the 2021 SMFP.</p>	Dr. Oliver Ms. Collins	Motion approved
Linear Accelerator	The Agency received no petitions or comments for the LINAC section.		

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	<p>Ms. Michael reviewed the need methodology pertaining to linear accelerators. There are no policies.</p> <p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding the LINAC section to the SHCC for the 2021 SMFP.</p>	<p>Dr. Perry Hon. McKoy</p>	<p>Motion approved</p>
<p>Lithotripsy</p>	<p>The Agency received no petitions or comments for lithotripsy.</p> <p>Ms. Michael reviewed need methodology for the lithotripsy section of Chapter 17.</p> <p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding the Lithotripsy section to the SHCC for the 2021 SMFP.</p>	<p>Dr. Oliver Mr. DeBiasi</p>	<p>Motion approved</p>
<p>Magnetic Resonance Imaging (MRI)</p>	<p>Dr. Jordan refused himself from the MRI Section of the agenda. Dr. Jordan transitioned leadership of the discussion of the MRI Section to Mr. DeBiasi.</p> <p>Ms. Michael reviewed the policies and need methodology pertaining to MRI scanners. There are two policies.</p> <p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding policies and methodology for the MRI section to the SHCC for the 2021 SMFP.</p> <p>The Agency received two petitions with comments regarding the MRI section of Chapter 17.</p> <p><u>Review of Petitions</u></p> <p>Petitioner: Carolina Neurosurgery & Spine Associates (CNSA) has submitted a petition to add a new policy allowing the substitution of a vender-owned mobile MRI scanner with a provider-owned mobile MRI scanner.</p> <p>Petitioner: Raleigh Radiology has submitted a petition to amend Policy TE-3 to also allow freestanding non-hospital facilities to obtain a CON for a fixed MRI scanner.</p>	<p>Dr. Perry Hon. McKoy</p>	<p>Motion approved</p>

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	<p>Combined Agency Report: Each Petition places a strong emphasis on issues between the provider and the vendor in their respective petitions. Those items are not mentioned in this Agency Report because the Agency does not have any influence on service agreements between the provider and vendor. The Agency recommends denial of the Petitions submitted by Carolina Neurosurgery & Spine Associates and Raleigh Radiology for policy revision in the 2021 SMFP. Instead, the Agency recommends the approval of Policy TE-4, which will create an opportunity for providers that contract with a non-related entity for MRI services to convert to provider-owned MRI services.</p> <p>Committee Recommendation: The Agency recommends to the Committee forwarding the Agency Report for the MRI Petitions to the SHCC for the 2021 SMFP. <i>(Dr. Jordan, Mr. DeBiasi, Dr. Oliver, & Ms. Collins recused themselves from voting.)</i></p> <p>Ms. Michael presented the committee with Policy TE-4: Substitution of Vender Owned MRI Scanners (attached). The policy allows qualified applicants to substitute a vendor owned MRI scanner for a provider owned MRI scanner.</p> <p>Committee Recommendation: The Agency recommends to the Committee forwarding the policies and methodology for the MRI section to the SHCC for the 2021 SMFP, including proposed Policy TE-4. <i>(Dr. Jordan, Mr. DeBiasi, Dr. Oliver, & Ms. Collins recused themselves from voting.)</i></p> <p>Dr Craddock presented a call for Summer Petitions to include requests for specialized MRI and other equipment. No vote was needed for this agenda item.</p> <p>Mr. DeBiasi concluded the MRI section and turned leadership of the meeting back over to Dr. Jordan.</p>	<p>Dr. Ulrich Dr. Perry</p> <p>Dr. Perry Dr. Ulrich</p>	<p>Motion approved (3 voting, 4 recusals)</p> <p>Motion approved (3 voting, 4 recusals)</p>
<p>Positron Emission Tomography (PET) Scanner</p>	<p>The Agency received no petitions or comments regarding the Positron Emission Tomography section.</p> <p>Ms. Michael reviewed the policy and need methodology pertaining to PET Scanners. There is one policy.</p>		

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	<p><u>Committee Recommendation:</u> The Agency recommends to the Committee forwarding the PET section to the SHCC for the 2021 SMFP.</p>	<p>Mr. DeBiasi Dr. Oliver</p>	<p>Motion approved</p>
<p>Other Business</p>	<p>Dr. Jordan asked whether there was any other business that the committee needs to address. There was no other business to discuss.</p> <p>Dr. Jordan noted that the next committee meeting will be on Wednesday, May 20, 2020 and the next full SHCC meeting is Wednesday, June 10, 2020 both starting at 10:00 a.m. Location for meetings have not been decided, based on the COVID-19 pandemic. Meetings will either be held remotely or in Brown Room 104.</p>		
<p>Adjournment</p>	<p>Dr. Jordan requested a motion to adjourn.</p>	<p>Mr. DeBiasi Ms. Collins</p>	<p>Motion approved</p>

ATTACHMENT

Policy TE-4: Substitution of Vendor Owned MRI Scanner for Provider Owned MRI Scanner.

A qualified applicant is a provider who has an executed service contract with an unrelated person for magnetic resonance imaging (MRI) scanner services and is unable to apply pursuant to a need determination.

The qualified applicant applying for a certificate of need for a fixed MRI scanner pursuant to this policy shall demonstrate all the following in the CON application:

1. The contracted MRI scanner remains at the existing host site and is not moved to other host sites.
2. The contracted MRI scanner currently is or should be treated as a fixed MRI Scanner in the current SMFP.
3. As reported in the most recent Registration and Inventory form or License Renewal Application (either the one submitted during the same year the CON application is submitted or the form submitted the previous year), the contracted MRI scanner performed at least:
 - a. 4,805 weighted procedures if there are four or more fixed MRI scanners in the service area;
 - b. 4,462 weighted procedures if there are three fixed MRI scanners in the service area;
 - c. 4,118 weighted procedures if there are two fixed MRI scanners in the service area;
 - d. 3,775 weighted procedures if there is one fixed MRI scanner in the service area; or
 - e. 1,716 weighted procedures if there are no fixed MRI scanners in the service area.
4. Projected utilization is consistent with the performance standards promulgated in 10A NCAC 14C .2703 and is based on reasonable and adequately supported assumptions.

The qualified applicant applying for a certificate of need for a mobile MRI scanner pursuant to this policy shall demonstrate all the following in the CON application:

1. As reported in the most recent Registration and Inventory form or License Renewal Application (either the one submitted during the same year the CON application is submitted or the form submitted the previous year), the applicant:
 - a. contracts for mobile MRI services using a mobile MRI scanner owned by an unrelated person.
 - b. performed at least 3,328 weighted MRI procedures combined for all service sites owned and operated by the applicant or a related entity and located in the proposed service area.
2. The proposed mobile MRI scanner will provide services at two or more sites each week and one of those sites must be an existing site where the applicant currently offers mobile MRI services using a mobile MRI owned by an unrelated person.
3. Projected utilization is consistent with the performance standards promulgated in 10A NCAC 14C .2703 and is based on reasonable and adequately supported assumptions.