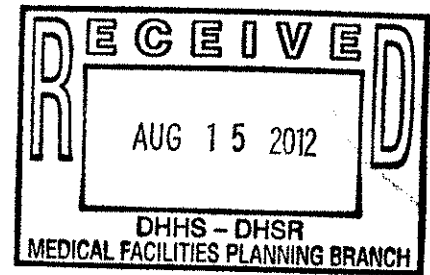




cary urology

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(CUR-28)



**Comment on Petition filed by Duke-Raleigh Hospital regarding
Special Need for Linear Accelerator in Service Area 20**

Proposed 2013 State Medical Facilities Plan

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Duke Raleigh Hospital proposes to increase by one the linear accelerator need in Linear Accelerator Service Area 20. The petition argues that the CON granted to Cancer Centers of North Carolina (CCNC) in 2007 has not "made progress."

The petition fails to mention the Certificate of Need that was granted to Cary Urology to develop a Prostate Cancer Center with a linear accelerator in Service Area 20 (*J-8331-09 / Parkway Urology, PA, dba, Cary Urology, PA / Acquire a linear accelerator and develop a multidisciplinary prostate health center in Raleigh / Wake County*). I am pleased to report that, though delayed by protracted appeals, the project is under construction at the intersection of Sunnybrook Road and Carl Sandburg, only 6.5 miles or 10 minutes from Duke Raleigh Hospital. We would be delighted to give you a site tour or show you our plans. Though the Prostate Health Center is focused on prostate and related cancers, this group represents approximately half of the typical case mix for most linear accelerators. We will have capacity for 6,750 or more ESTV's. In April 2013, when the facility opens, it will absorb some of the need that, of necessity, now goes to only the open linear accelerators, including Duke Raleigh. There will be no need for more capacity in Service Area 20. Moreover, by the petition's own arithmetic, reported use of linear accelerators that were operational in Service area 20 in FY 2011 did not reach the threshold for a new unit ($44,493 / 7 = 6,356$, which is $< 6,750$).

We understand that CCNC is also developing its 2007 project. Should Duke wish to protest the level of activity on that CON, we believe the proper forum is in the Certificate of Need Section. Certainly, adding more capacity to Service Area 20 at this time is not a good solution. I hope that the State Health Coordinating Council and Planning staff will agree and recommend against approval of this petition.

Thank you for your time and attention. My colleagues and I would be happy to respond to any questions you may have.