

COMMENTS REGARDING REX HOSPITAL PETITION
FOR ADJUSTED NEED DETERMINATION
FOR OPERATING ROOMS IN WAKE COUNTY

Duke University Health System, Inc. hereby submits these comments in support of the petition filed by Rex Hospital, Inc., for an adjusted need determination for operating rooms in Wake County. Duke supports the adjustment proposed by Rex for projects to develop operating rooms at existing hospital campuses reporting surgical volumes on their respective 2021 Hospital License Renewal Applications.

A special need determination is appropriate to address the ongoing and unmet capacity needs of hospitals that have historically generated the need for additional operating rooms in the county. As Rex points out, in FY 2019 (data reflected in the 2021 SMFP), Wake County's existing hospital facilities collectively operated well above capacity in contrast to ASCs. Despite this high utilization and the resulting generation of need in recent SMFPs based on hospital utilization, hospitals have not been allowed the opportunity to materially expand capacity in competitive certificate of need reviews with ambulatory surgery centers.

Restricting any need determination to existing hospital campuses that reported volumes on 2021 Hospital License Renewal Applications mitigates against any unnecessary duplication of existing services. This restriction would prevent applicants from using this need determination as an avenue to create new campuses or facilities, rather than to address the existing capacity constraints that are the basis for this petition. At the same time, there would be the opportunity for multiple providers to propose projects to ensure that the need is met most efficiently and cost effectively.