

### **10A NCAC 14C .1403 PERFORMANCE STANDARDS**

(a) If an applicant is proposing a project that increases the total number of neonatal beds in a facility, the applicant shall demonstrate that the proposed project is capable of meeting the following standards:

- (1) the overall average annual occupancy of the combined number of existing Level II, Level III, and Level IV beds in the facility is at least 75 percent, over the 12 months immediately preceding the submittal of the proposal;
- (2) the projected overall average annual occupancy of the combined number of Level II, Level III, and Level IV beds proposed to be operated during the third year of operation of the proposed project shall be at least 75 percent; and
- (3) the applicant shall document the assumptions and provide data supporting the methodology used for each projection in this Rule.

(b) If an applicant proposes to develop a new Level III or Level IV service, the applicant shall document that an unmet need exists in the applicant's defined neonatal service area. The need for Level III and Level IV beds shall be computed for the applicant's neonatal service area by:

- (1) identifying the number of live births occurring annually at all hospitals within the proposed neonatal service area, using the latest available data compiled by the State Center for Health Statistics;
- (2) identifying the low birth weight rate (percent of live births below 2,500 grams) for the births identified in Subparagraph (1) of this Paragraph, using the latest available data compiled by the State Center for Health Statistics;
- (3) dividing the low birth weight rate identified in Subparagraph (2) of this Paragraph by .08 and subsequently multiplying the resulting quotient by four; and
- (4) determining the need for Level III and Level IV beds in the proposed neonatal service area as the product of:
  - (A) the product derived in Subparagraph (3) of this Paragraph, and
  - (B) the quotient resulting from the division of the number of live births in the initial year of the determination identified in Subparagraph (1) of this Paragraph by the number 1000.

*History Note: Authority G.S. 131E-177(1); 131E-183(b);  
Temporary Adoption Eff. September 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
Eff. January 4, 1994;  
Temporary Amendment Eff. March 15, 2002;  
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