

REQUIRED STATE AGENCY FINDINGS

FINDINGS

C = Conforming

CA = Conforming as Conditioned

NC = Nonconforming

NA = Not Applicable

Decision Date: January 29, 2024

Findings Date: January 29, 2024

Project Analyst: Gregory F. Yakaboski

Co-Signer: Lisa Pittman

Project ID #: Q-12434-23

Facility: ECU Health Medical Center

FID #: 933410

County: Pitt

Applicant: Pitt County Memorial Hospital, Inc.

Project: Cost overrun for Project ID # Q-12251-22 (develop one GI endoscopy room for a total of 6 GI endoscopy rooms)

REVIEW CRITERIA

G.S. 131E-183(a): The Department shall review all applications utilizing the criteria outlined in this subsection and shall determine that an application is either consistent with or not in conflict with these criteria before a certificate of need for the proposed project shall be issued.

- (1) The proposed project shall be consistent with applicable policies and need determinations in the State Medical Facilities Plan, the need determination of which constitutes a determinative limitation on the provision of any health service, health service facility, health service facility beds, dialysis stations, operating rooms, or home health offices that may be approved.

C

Pitt County Memorial Hospital, Inc. (hereinafter referred to as “the applicant” d/b/a/ ECU Health Medical Center proposes a cost overrun (COR) for Project ID #Q-12251-22 (develop a 6th GI endoscopy room at Vidant Medical Center). In Project ID # Q-12251-23 the facility was named Vidant Medical Center (VMC). The facility has been renamed ECU Health Medical Center (EHMC). The facility is part of the ECU Health System.

The parent company is University Health Systems of Eastern Carolina, Inc. d/b/a ECU Health (ECUH).

A certificate of need was issued on January 5, 2023, for Project I.D. #Q-12251-22 and authorized a capital cost of \$664,650. The current application proposes a capital cost increase of \$500,000 over the previously approved capital cost for a total combined capital cost of \$1,164,650. The cost overrun application is necessary due to a need to run medical gas lines not originally planned to the proposed GI endoscopy procedures to support more complex GI endoscopy procedures. The applicant proposes no material change in scope from the originally approved project in this application.

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (2) Repealed effective July 1, 1987.
- (3) The applicant shall identify the population to be served by the proposed project, and shall demonstrate the need that this population has for the services proposed, and the extent to which all residents of the area, and, in particular, low income persons, racial and ethnic minorities, women, ... persons [with disabilities], the elderly, and other underserved groups are likely to have access to the services proposed.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Project ID# Q-12251-22 proposed to develop no more than one additional GI endoscopy room for a total of no more than six GI endoscopy rooms upon project completion. A certificate of need was issued on January 5, 2023 for Project I.D. #Q-12251-22 and authorized a capital cost of \$664,650. The current application proposes a capital cost increase of \$500,000 over the

previously approved capital cost for a total combined capital cost of \$1,164,650. The cost overrun application is necessary due to a need to run medical gas lines not originally planned to the proposed GI endoscopy procedures to support more complex GI endoscopy procedures. The applicant proposes no material change in scope from the originally approved project in this application.

Patient Origin

In Project ID# Q-12251-22, the Agency determined the applicant had adequately identified the projected patient origin for the facility. The applicant proposes no changes in the current application which would affect that determination.

Analysis of Need

In Section Q, Form F.1b, the applicant provides a summary of the capital cost approved in Project ID# Q-12251-22, the changes proposed in this application, and the new projected capital cost, as shown in the table below.

	Previously Approved Capital Costs (Project ID#Q-12251-22)	Proposed New Capital Costs- This Project (Project ID#Q-12434-23)	Total Capital Costs for the Project with Proposed Changes.
Construction/Renovation Contracts	\$0	\$440,000	\$440,000
Architect/Engineering Fees	\$0	\$60,000	\$60,000
Medical Equipment	\$659,650	\$0	\$659,650
New Medical Equipment	\$5,000	\$0	\$5,000
Total Capital Cost	\$654,650	\$500,000	\$1,164,650

In Section C, pages 43-44, and Section E, pages 50-51 the applicant explains why it believes the proposed increase in capital cost is necessary to develop the proposed project:

- EHMC providers are, more recently, encountering an increased number of GI patients who require, or are likely to require, general anesthesia during endoscopy procedures.
- The many patients for whom EHMC provides GI endoscopy services cannot be treated at outpatient based ambulatory provider offices due to complexity.
- Two of EHMC's six existing or approved GI endoscopy rooms are not currently equipped or proposed to be equipped with sufficient medical gas lines to handle more complex GI endoscopy cases.

The information is reasonable and adequately supported based on the following:

- The applicant adequately explains why additional costs are necessary to develop the proposed project.
- The applicant provides line drawings of the proposed changes in Exhibit 9.

Projected Utilization

In Section C.8, page 43, the applicant confirms that projected utilization is not expected to be different from what was projected in the previously approved project. In Project ID# Q-12251-22, the Agency determined the applicant had adequately identified the projected utilization for the facility. The applicant proposes no changes in the current application which would affect that determination.

Access to Medically Underserved Groups

The application for Project ID# Q-12251-22 adequately demonstrated the extent to which all residents of the area, including underserved groups, were likely to have access to the proposed services. The applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (3a) In the case of a reduction or elimination of a service, including the relocation of a facility or a service, the applicant shall demonstrate that the needs of the population presently served will be met adequately by the proposed relocation or by alternative arrangements, and the effect of the reduction, elimination or relocation of the service on the ability of low income persons, racial and ethnic minorities, women, ... persons [with disabilities], and other underserved groups and the elderly to obtain needed health care.

NA

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

This Criterion was found to be “NA” in Project ID #Q-12251-22 and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application

- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (4) Where alternative methods of meeting the needs for the proposed project exist, the applicant shall demonstrate that the least costly or most effective alternative has been proposed.

CA

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

In Section E, pages 50-51, the applicant describes the alternatives it considered and explains why each alternative is either more costly or less effective than the alternative proposed in this application to meet the need. The alternatives considered were:

- *Maintain the Status Quo.* The applicant determined that this was not the most effective alternative as providers are, more recently, encountering an increased number of GI patients who require, or are likely to require, general anesthesia during endoscopy procedures. Not adding the medical gas lines would have a negative impact on quality, access and cost.
- *Shift patients to ECEC or Another Private Provider.* The applicant determined that this was not the most effective alternative as many patients for whom EHMC provides GI endoscopy services cannot be treated at outpatient based ambulatory provider offices due to complexity.

The applicant adequately demonstrates that the alternative proposed in this application is the most effective alternative to meet the need for the following reasons:

- The applicant proposes to develop the project as approved in Project I.D. #Q-12251-22 and simply add the medical gas lines to accommodate certain patients/procedures.
- The application is conforming to all statutory and regulatory review criteria.
- The applicant provides credible information to explain why it believes the proposed project is the most effective alternative.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application

Based on that review, the Agency concludes that the application is conforming to this criterion for the reasons stated above. Therefore, the application is approved subject to the following conditions:

- 1. Pitt County Memorial Hospital, Inc. (hereinafter certificate holder) shall materially comply with all representations made in the certificate of need application.**
- 2. The certificate holder shall develop no more than one additional GI endoscopy room for a total of no more than 6 GI endoscopy rooms at ECU Health Medical Center.**
- 3. Upon completion of the project, ECU Health Medical Center, shall be licensed for no more than six GI endoscopy rooms.**
- 4. The total combined capital expenditure for this project and Project ID# Q-12251-22 is \$1,164,650, an increase of \$500,000 over the capital cost of \$654,650 previously approved in Project I.D. #Q-12251-22.**
- 5. Progress Reports:**
 - a. Pursuant to G.S. 131E-189(a), the certificate holder shall submit periodic reports on the progress being made to develop the project consistent with the timetable and representations made in the application on the Progress Report form provided by the Healthcare Planning and Certificate of Need Section. The form is available online at: <https://info.ncdhhs.gov/dhsr/coneed/progressreport.html>.**
 - b. The certificate holder shall complete all sections of the Progress Report form.**
 - c. The certificate holder shall describe in detail all steps taken to develop the project since the last progress report and should include documentation to substantiate each step taken as available.**
 - d. The first progress report shall be due on October 15, 2024.**
- 6. The certificate holder shall not acquire as part of this project any equipment that is not included in the project's proposed capital expenditures in Section Q of the application and that would otherwise require a certificate of need.**
- 7. For the first three years of operation following completion of the project, the certificate holder shall not increase charges more than 5% of the charges projected in Section Q of the application without first obtaining a determination from the Healthcare Planning and Certificate of Need Section that the proposed increase is in material compliance with the representations in the certificate of need application.**

8. The certificate holder shall acknowledge acceptance of and agree to comply with all conditions stated herein to the Agency in writing prior to issuance of the certificate of need.

- (5) Financial and operational projections for the project shall demonstrate the availability of funds for capital and operating needs as well as the immediate and long-term financial feasibility of the proposal, based upon reasonable projections of the costs of and charges for providing health services by the person proposing the service.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Capital and Working Capital Costs

In Project I.D. #Q-12251-22 the applicant projected, and the project was approved for, a capital cost of \$654,650. The current application proposes a capital cost increase of \$500,000 which exceeds the 115 percent statutory limit for capital expenditures in an approved project.

The following table compares the capital cost approved in Project ID# Q-12251-22, the changes proposed in this application, and the new projected capital costs, as reported in Form F.1b in Section Q.

	Previously Approved Capital Costs (Project ID#Q-12251-22)	Proposed New Capital Costs- This Project (Project ID#Q-12434-23)	Total Capital Costs for the Project with Proposed Changes.
Construction/Renovation Contracts	\$0	\$440,000	\$440,000
Architect/Engineering Fees	\$0	\$60,000	\$60,000
Medical Equipment	\$659,650	\$0	\$659,650
New Medical Equipment	\$5,000	\$0	\$5,000
Total Capital Cost	\$654,650	\$500,000	\$1,164,650

In Section C.8, pages 43-44, the applicant states the increase in capital expenditure is necessary due to a need to run medical gas lines not originally planned to the proposed GI endoscopy procedures to support more complex GI endoscopy procedures as EHMC providers have encountered an increase in patients who require, or are likely to require, more complex sedation/anesthesia. The applicant proposes no material change in scope from the originally approved project in this application.

In the application for Project ID #Q-12251-22, the applicant projects no working capital costs as any start-up costs and initial operating expenses will be considered as ongoing operational costs for EHMC. The current application projects no changes that would affect the determination of no working capital costs.

Availability of Funds

A certificate of need was issued on January 5, 2023 for Project I.D. #Q-12251-22 and authorized a capital cost of \$664,650. In Project ID #Q-12251-22, the Agency determined that the applicant adequately demonstrated that it had sufficient funds available for capital needs of the project. The current application proposed a capital cost increase of \$500,000 over the previously approved capital cost for a total combined capital cost.

In Section F.5, page 58, the applicant states that the capital cost will be funded as shown in the table below,

Sources of Capital Cost Financing	
Type	Pitt County Memorial Hospital, Inc.
Loans	\$
Accumulated reserves or OE *	\$500,000
Bonds	\$
Other (Specify)	\$
Total Financing	\$500,000

* OE = Owner's Equity

The applicant adequately demonstrates the availability of sufficient funds for the capital needs of the project based on the following:

- Exhibit 7 contains a letter dated October 11, 2023, from the Chief Financial Officer for ECU Health, authorizing the use of accumulated reserves for the capital needs of the project.
- The applicant provides a copy of the combined audited financial statements of ECUH in Exhibit 8 documenting that it has adequate cash and assets to fund the capital cost of the proposed project.

Financial Feasibility

In Project ID# Q-12251-22, the applicant projected revenues would exceed operating expense during the first three years of the project following project completion. The Agency determined Project ID##Q-12251-22 had demonstrated the financial feasibility of the proposal was based on reasonable projections of costs and charges. The applicant is not proposing any changes that would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits of the application
- Information publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for the following reasons:

- The applicant adequately demonstrates that the capital costs are based on reasonable and adequately supported assumptions for all the reasons described above.
 - The applicant adequately demonstrates availability of sufficient funds for the capital needs of the proposal for all the reasons described above.
 - The applicant adequately demonstrates sufficient funds for the operating needs of the proposal and that the financial feasibility of the proposal is based upon reasonable projections of revenues and operating expenses for all the reasons described above.
- (6) The applicant shall demonstrate that the proposed project will not result in unnecessary duplication of existing or approved health service capabilities or facilities.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (7) The applicant shall show evidence of the availability of resources, including health manpower and management personnel, for the provision of the services proposed to be provided.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (8) The applicant shall demonstrate that the provider of the proposed services will make available, or otherwise make arrangements for, the provision of the necessary ancillary and support services. The applicant shall also demonstrate that the proposed service will be coordinated with the existing health care system.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (9) An applicant proposing to provide a substantial portion of the project's services to individuals not residing in the health service area in which the project is located, or in adjacent health service areas, shall document the special needs and circumstances that warrant service to these individuals.

NA

The applicant does not project to provide the proposed services to a substantial number of persons residing in Health Service Areas (HSAs) that are not adjacent to the HSA in which the services will be offered. Furthermore, the applicant does not project to provide the proposed services to a substantial number of persons residing in other states that are not adjacent to the North Carolina county in which the services will be offered. Therefore, Criterion (9) is not applicable to this review.

- (10) When applicable, the applicant shall show that the special needs of health maintenance organizations will be fulfilled by the project. Specifically, the applicant shall show that the project accommodates: (a) The needs of enrolled members and reasonably anticipated new members of the HMO for the health service to be provided by the organization; and (b) The availability of new health services from non-HMO providers or other HMOs in a reasonable and cost-effective manner which is consistent with the basic method of operation of the HMO. In assessing the availability of these health services from these providers, the applicant shall consider only whether the services from these providers:
- (i) would be available under a contract of at least 5 years duration;
 - (ii) would be available and conveniently accessible through physicians and other health professionals associated with the HMO;
 - (iii) would cost no more than if the services were provided by the HMO; and
 - (iv) would be available in a manner which is administratively feasible to the HMO.

NA

The applicant is not an HMO. Therefore, Criterion (10) is not applicable to this review.

- (11) Repealed effective July 1, 1987.
- (12) Applications involving construction shall demonstrate that the cost, design, and means of construction proposed represent the most reasonable alternative, and that the construction project will not unduly increase the costs of providing health services by the person proposing the construction project or the costs and charges to the public of providing health services by other persons, and that applicable energy saving features have been incorporated into the construction plans.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

In the previous approved application the applicant did not propose any construction costs so Criterion (12) was found to be "NA". However, in this application, the applicant is proposing construction costs so Criterion (12) is applicable. The discussion regarding the need for the increased capital expenditure found in Criterion (3) is incorporated herein by reference. The discussion regarding costs and charges found in Criterion (5) is incorporated herein by reference.

	Previously Approved Capital Costs (Project ID#Q-12251-22)	Proposed New Capital Costs- This Project (Project ID#Q-12434-23)	Total Capital Costs for the Project with Proposed Changes.
Construction/Renovation Contracts	\$0	\$440,000	\$440,000
Architect/Engineering Fees	\$0	\$60,000	\$60,000
Medical Equipment	\$659,650	\$0	\$659,650
New Medical Equipment	\$5,000	\$0	\$5,000
Total Capital Cost	\$654,650	\$500,000	\$1,164,650

In Section K.5, page 71, the applicant states that the project involves renovating 360 square feet of existing space. Line drawings are provided in Exhibit 9.

On page 72, the applicant adequately explains how the cost, design and means of construction represent the most reasonable alternative for the proposal based on the fact that the renovations are minor, and only involve adding medical gas lines to existing space already designed for endoscopy procedures.

On page 72, the applicant adequately explains why the proposal will not unduly increase the costs to the applicant of providing the proposed services or the costs and charges to the public for the proposed services since the renovations are minor, and the space is existing and already equipped and designed for endoscopy procedures. Furthermore, the proposed project does not change the financial projections of the approved project (Project ID # Q-12251-22).

In Section B.21, pages 30-31, and in Section K, page 72 applicant identifies and describes any applicable energy saving features that will be incorporated into the construction plans.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (13) The applicant shall demonstrate the contribution of the proposed service in meeting the health-related needs of the elderly and of members of medically underserved groups, such as medically indigent or low income persons, Medicaid and Medicare recipients, racial and ethnic minorities, women, and ... persons [with disabilities], which have traditionally experienced difficulties in obtaining equal access to the proposed services, particularly those needs identified in the State Health Plan as deserving of priority. For the purpose of determining the extent to which the proposed service will be accessible, the applicant shall show:

- (a) The extent to which medically underserved populations currently use the applicant's existing services in comparison to the percentage of the population in the applicant's service area which is medically underserved;

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (b) Its past performance in meeting its obligation, if any, under any applicable regulations requiring provision of uncompensated care, community service, or access by minorities and persons with disabilities to programs receiving federal assistance, including the existence of any civil rights access complaints against the applicant;

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (c) That the elderly and the medically underserved groups identified in this subdivision will be served by the applicant's proposed services and the extent to which each of these groups is expected to utilize the proposed services; and

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (d) That the applicant offers a range of means by which a person will have access to its services. Examples of a range of means are outpatient services, admission by house staff, and admission by personal physicians.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application

- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (14) The applicant shall demonstrate that the proposed health services accommodate the clinical needs of health professional training programs in the area, as applicable.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

- (15) Repealed effective July 1, 1987.
(16) Repealed effective July 1, 1987.
(17) Repealed effective July 1, 1987.
(18) Repealed effective July 1, 1987.
- (18a) The applicant shall demonstrate the expected effects of the proposed services on competition in the proposed service area, including how any enhanced competition will have a positive impact upon the cost effectiveness, quality, and access to the services proposed; and in the case of applications for services where competition between providers will not have a favorable impact on cost-effectiveness, quality, and access to the services proposed, the applicant shall demonstrate that its application is for a service on which competition will not have a favorable impact.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

The application for Project ID# Q-12251-22 adequately demonstrated the expected effects of the proposed services on competition and how any enhanced competition would have a positive impact on cost-effectiveness, quality, and access to the services proposed. The applicant proposes no changes in this application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion based on the reasons described above.

- (19) Repealed effective July 1, 1987.
- (20) An applicant already involved in the provision of health services shall provide evidence that quality care has been provided in the past.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming to this criterion and the applicant proposes no changes in the current application which would affect that determination.

In Section Q, Form O Facilities, the applicant identifies the related hospital and ambulatory surgical centers (ASCs) facilities located in North Carolina owned, operated or managed by the applicant or a related entity. The applicant identifies a total of ten such facilities located in North Carolina.

In Section O, page 84, the applicant states that, during the 18 months immediately preceding submission of the application, they have no knowledge of incidents related to quality of care at any of its facilities. After reviewing and considering information provided by the applicant and considering the quality of care provided at all ten facilities, the applicant provided sufficient evidence that quality care has been provided in the past. Therefore, the application is conforming to this criterion.

Conclusion

The Agency reviewed the:

- Application

- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.

(21) Repealed effective July 1, 1987.

G.S. 131E-183 (b): The Department is authorized to adopt rules for the review of particular types of applications that will be used in addition to those criteria outlined in subsection (a) of this section and may vary according to the purpose for which a particular review is being conducted or the type of health service reviewed. No such rule adopted by the Department shall require an academic medical center teaching hospital, as defined by the State Medical Facilities Plan, to demonstrate that any facility or service at another hospital is being appropriately utilized in order for that academic medical center teaching hospital to be approved for the issuance of a certificate of need to develop any similar facility or service.

C

The applicant proposes a COR for Project ID #Q-12251-22 (develop a 6th GI Endoscopy Room).

Project ID #Q-12251-22 was conforming with all applicable Criteria and Standards for Gastrointestinal Endoscopy procedure rooms in Licensed Health Service Facilities. The applicant proposes no changes in the current application which would affect that determination.

Conclusion

The Agency reviewed the:

- Application
- Exhibits to the application
- Information which was publicly available during the review and used by the Agency

Based on that review, the Agency concludes that the application is conforming to this criterion for all the reasons described above.