



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

November 19, 2021  
Office of Communications  
919-855-4840

## PUBLIC NOTICE

### **Scheduling of Public Hearings for Certificate of Need Applications During the COVID-19 Pandemic**

RALEIGH — Public hearings for certificate of need applications are scheduled only if they are required by law. The law requires a public hearing be held if the capital cost of a project proposed in a certificate of need application is \$5,000,000 or more, the review is competitive, or a written request to hold a public hearing is received by the Healthcare Planning and Certificate of Need Section during the 30-day public comment period for the review.

During the COVID-19 pandemic, the Healthcare Planning and Certificate of Need Section asks that no one request a public hearing be held due to social distancing guidelines and potential restrictions on locations to hold public hearings.

#### Submitting Written Public Remarks

If a public hearing was required by law, members of the public will be given an opportunity to submit remarks in lieu of a public hearing in writing. Remarks should be sent to the project analyst assigned to the review attached to an email. To determine which project analyst to email the remarks to, visit the Healthcare Planning and Certificate of Need website at <https://info.ncdhhs.gov/dhsr/coneed/applicationlogs.html>.

Remarks from members of the public must be received no later than 5:00 p.m. on the 20<sup>th</sup> day of the month after the last day to submit written comments. If the 20<sup>th</sup> day falls on a weekend or holiday, the last day to submit remarks is the last business day **before** the weekend or holiday. The following table shows the deadlines for the last review period in 2021 and the eleven review periods in 2022 assuming the state of emergency extends the entire year and public hearings cannot be held.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION  
HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603  
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704  
[www.ncdhhs.gov/dhsr](http://www.ncdhhs.gov/dhsr) • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

<b>Review Period Begins</b>	<b>Last Date to Submit Written Comments</b>	<b>Last Date to Submit Written Remarks from Public in Lieu of a Public Hearing</b>
December 1, 2021	January 3, 2022	January 21, 2022
February 1, 2022	March 3, 2022	March 23, 2022
March 1, 2022	March 31, 2022	April 20, 2022
April 1, 2022	May 2, 2022	May 20, 2022
May 1, 2022	May 31, 2022	June 20, 2022
June 1, 2022	July 1, 2022	July 21, 2022
July 1, 2022	August 1, 2022	August 19, 2022

Because G.S. 131E-185(a1)(2)b prohibits an applicant from commenting about another applicant's application during the public hearing, the applicant should not submit remarks in lieu of a public hearing.

#### Responding to Written Comments and Public Remarks

The applicant will have an opportunity to respond to any written comments received during the 30-day public comment period and any written remarks from members of the public submitted in lieu of a public hearing. Within three business days of receipt of the remarks, the project analyst will notify the applicant that comments and/or remarks were received and request that the applicant provide a response within 10 business days of the analyst's notice.

The applicant's response will be a public record and a copy will be provided to those requesting it. The request must be sent to: [DHRS.CON.Public.Info.Request@dhhs.nc.gov](mailto:DHRS.CON.Public.Info.Request@dhhs.nc.gov). The applicant's response will not be posted to the website.

Since the certificate of need law does not provide an opportunity for commenters to submit a response to the applicant's response, responses to the applicant's response will not be considered by the agency during the review.

For more information contact:

Lisa Pittman, Assistant Chief, Certificate of Need  
Healthcare Planning and Certificate of Need Section  
(919) 855-3873  
[lisa.pittman@dhhs.nc.gov](mailto:lisa.pittman@dhhs.nc.gov)

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