



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

November 30, 2018

Catharine W. Cummer
3100 Tower Blvd. Suite 1300
Durham, NC 27707

No Review

Record #: 2788
Business Name: Duke University Health System, Inc.
Business #: 640
Project Description: Relocate existing MRI Scanner from Lenox Baker on the Duke University campus to Duke Radiology at Page Road
County: Durham

Dear Ms. Cummer:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the above referenced proposal. Based on the CON law in effect on the date of this response to your request, the proposal described in that correspondence is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

You may need to contact the Agency's Acute and Home Care Licensure and Certification Section to determine if they have any requirements for development of the proposed project.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

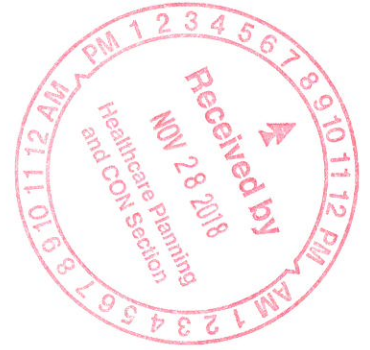
Fatimah Wilson
Fatimah Wilson
Team Leader

Martha J. Frisone
Martha J. Frisone, Chief
Healthcare Planning and Certificate of Need Section

cc: Acute and Home Care Licensure and Certification Section, DHSR
Melinda Boyette, Administrative Assistant, Healthcare Planning, DHSR

# Duke University Health System

**Catharine W. Cumber**  
Regulatory Counsel, Strategic Planning



Business # 640  
Record # 2788

## Via Electronic Delivery

November 27, 2018

Ms. Martha Frisone  
Chief  
Ms. Bernetta Thorne-Williams  
Project Analyst  
Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
North Carolina Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704

*Re:* Relocation of existing MRI

Dear Ms. Frisone and Ms. Thorne-Williams:

On behalf of Duke University Health System, Inc. d/b/a Duke University Hospital, I am writing to notify the state of our intent to relocate an existing MRI scanner currently operated on a pad located at Lenox Baker on the Duke University campus, to a pad located at an existing Duke University Hospital imaging site identified as Duke Radiology at Page Road (4709 Creekstone Dr. #190). Both locations are in Durham County. It is our understanding that this project is not a new institutional health service that would require a CON for the following reasons:

- 1) There is no acquisition or change in ownership of the equipment.
- 2) The total cost of the relocation is less than \$2 million.
- 3) Even if not a hospital-based radiology clinic, this would not create a diagnostic center at Page Road, as the combined cost of all imaging equipment at the time of placement of each unit into service at this location is under \$500,000.

Duke currently offers MRI services at Page Road pursuant to a services agreement with Alliance Imaging; upon the relocation of Duke's scanner to this location, Alliance Imaging will separately notify the state of any new location for services on that scanner. Duke University Hospital will continue to report its own scanner and the volumes it performs on its hospital

Ms. Martha Frisone  
Ms. Bernetta Thorne-Williams  
November 27, 2018

license renewal application. We currently anticipate that this relocation will occur on or about March 4, 2019.

Please let me know if you need any further information about this relocation. Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Catharine W. Cumber".

Catharine W. Cumber