



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

VIA EMAIL ONLY

October 12, 2021

Denise M. Gunter
Denise.gunter@nelsonmullins.com

Exempt from Review – Replacement Equipment

Record #: 3693
Date of Request: October 1, 2021
Facility Name: Novant Health Forsyth Medical Center
FID #: 923174
Business Name: Novant Health, Inc.
Business #: 1341
Project Description: Temporarily replace fixed MRI scanner at Novant Health Forsyth Medical Center with mobile MRI scanner
County: Forsyth

Dear Ms. Gunter:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that the above referenced project is exempt from certificate of need review in accordance with G.S. 131E-184(a)(7). Therefore, you may proceed to bring in and operate, without a certificate of need, one mobile MRI scanner, to temporarily replace one of the fixed MRI scanners licensed under Novant Health Forsyth Medical Center that is currently undergoing emergency repairs. This determination is based on your representations that the mobile MRI scanner will be brought into North Carolina only for the duration of the repairs, will be removed from North Carolina once repairs to the fixed MRI scanner are complete, and will not be used again in the State without first obtaining a certificate of need if one is required.

It should be noted that the Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this office and a separate determination. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

[Handwritten signature of Gregory F. Yakaboski]

Gregory F. Yakaboski
Project Analyst

[Handwritten signature of Micheala Mitchell]

Micheala Mitchell
Chief

cc. Acute and Home Care Licensure and Certification Section, DHSR
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
https://info.ncdhhs.gov/dhsr/ • TEL: 919-855-3873

From: [Mitchell, Micheala L](#)
To: denise.gunter@nelsonmullins.com
Cc: [Pittman, Lisa](#); [Waller, Martha K](#); [Hale, Gloria](#); [Inman, Celia C](#)
Subject: Request for Novant Health Forsyth Medical Center
Date: Friday, October 1, 2021 12:26:05 PM

Hi Denise,

Lisa asked me to respond to your request in her absence. You can temporarily utilize the “out of state” mobile MRI scanner pending repair of the disabled scanner to maintain service at NHFMC. If this situation you described below changes, please let us know.

Thank you,

Micheala Mitchell, JD
[NC Department of Health and Human Services](#)
[Division of Health Service Regulation](#)
Section Chief, Healthcare Planning and CON Section
809 Ruggles Drive, Edgerton Building
2704 Mail Service Center
Raleigh, NC 27699-2704
Office: 919 855 3879
Micheala.Mitchell@dhhs.nc.gov

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From: Denise Gunter <denise.gunter@nelsonmullins.com>
Sent: Friday, October 1, 2021 11:20 AM
To: Pittman, Lisa <lisa.pittman@dhhs.nc.gov>
Subject: [External] FW: Request for Novant Health Forsyth Medical Center

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Hi, Lisa,

Sorry to bother you with this but I just got out of office messages from Celia and Gloria, so wanted to pull you in. I assume this request is not a problem, but if it is, please let me know as soon as you can. Thanks.

From: Denise Gunter
Sent: Friday, October 1, 2021 11:15 AM
To: 'Celia.Inman@dhhs.nc.gov' <Celia.Inman@dhhs.nc.gov>; Hale, Gloria <gloria.hale@dhhs.nc.gov>
Subject: Request for Novant Health Forsyth Medical Center
Importance: High

Good morning and Happy Friday, Celia and Gloria,

I am writing with an emergency request for Novant Health Forsyth Medical Center. NHFMC has three fixed MRI scanners. One of the three is down for replacement. Just today, one of the remaining two scanners experienced a malfunction that will take it out of service for at least a week because a part has to be ordered from Siemens in Germany, and when the part arrives in the U.S., it will need to go through customs which will mean some delay. We estimate that the process to obtain the part will take at least one week. Novant proposes to bring in an out of state mobile MRI scanner during this time so that NHFMC can maintain service with two scanners. When the disabled scanner is repaired, Novant will remove the mobile and take it out of state. Scan volume at NHFMC continues to be very strong, with the scanners going 7 days a week, so going down to 1 scanner even for a short time is not possible.

May we proceed to implement this solution while the unit undergoes repair? I apologize for presenting this via an email but due to the urgent nature, I wanted to act as quickly as possible.

Thanks in advance for your consideration of this request. I'm glad to answer any questions you may have.

Denise



DENISE M. GUNTER PARTNER
denise.gunter@nelsonmullins.com

She/Her/Hers

THE KNOLLWOOD | SUITE 530
380 KNOLLWOOD STREET | WINSTON-SALEM, NC 27103
T 336.774.3322 F 336.774.3372

NELSONMULLINS.COM [VCARD](#) [VIEW BIO](#)

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