



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

April 13, 2022

Denise Gunter, Partner, Nelson Mullins
Denise.gunter@nelsonmullins.com

Exempt from Review – Replacement Equipment

Record #: 3871
Date of Request: April 11, 2022
Business Name: MedQuest Associates, Inc.
Business #: 2692
Project Description: Temporarily replace a mobile MRI scanner
County: Wake

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(7). Therefore, you may proceed to acquire without a certificate of need the Siemens 1.5T mobile MRI scanner to temporarily replace the Siemens 1.5T mobile MRI scanner (MQ 23) while that unit is repaired. This determination is based on your representations that the replacement unit will be removed from North Carolina and not be used again in the State without first obtaining a certificate of need if one is required following completion of the repairs to the existing unit.

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,

Michael J. McKillip
Team Leader

Micheala Mitchell
Chief

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

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

From: [Denise Gunter](#)
To: [Mckillip, Mike](#); [Pittman, Lisa](#); [Mitchell, Micheala L](#)
Cc: [Waller, Martha K](#)
Subject: [External] Request for Temporary Mobile MRI Replacement in Wake County (Health Service Area IV)
Date: Monday, April 11, 2022 3:37:11 PM

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good afternoon,

I hope everyone had a nice weekend. I apologize for sending an email instead of a letter, but MedQuest is addressing an emergency situation with respect to one of its grandfathered mobile MRI scanner that serves host sites in Wake County. This unit, referred to internally as MQ 23, is a Siemens 1.5T scanner. MQ 23 experienced a “quench” late last night, Sunday, April 10, 2022. Quenching is the process whereby there is a sudden loss of absolute zero of temperature in the magnet coils, so that they cease to be super conducting and become resistive, thus eliminating the magnetic field. This results in helium escaping from the cryogen bath extremely rapidly. This causes the scanner to be unusable. Siemens will pick up MQ 23 tonight and take it to its repair facility. Siemens is able to provide a temporary mobile MRI scanner that is currently out of state to take MQ 23’s place while MQ 23 is being repaired. This will avoid significant disruption to patient scheduling and treatment. The temporary replacement is also a Siemens 1.5T scanner. The temporary MRI scanner provides the same services as MQ 23; no new services will be provided on the temporary replacement scanner. Costs and charges will not be impacted as a result of the temporary mobile MRI scanner. MedQuest expects the repair to take about 2 weeks. Once MQ 23 is repaired, the temporary mobile MRI scanner will be removed from North Carolina and will not be brought back to North Carolina absent CON approval. The sites that are served by MQ 23 are Raleigh Neurosurgical; Cardinal Point Imaging – Brier Creek; and Cary Orthopedics and Sports Medicine.

Under the circumstances described here, may MedQuest move forward with the temporary replacement?

Please let me know if you need any other information to consider this request.

Thanks very much.



DENISE M. GUNTER PARTNER
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She/Her/Hers

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