



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEVPUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

January 27, 2025

Robert A. Leandro

robbleandro@parkerpoe.com

Exempt from Review – Replacement Equipment

Record #: 4700

Date of Request: January 24, 2025

Facility Name: UNC Health Blue Ridge

FID #: 943191

Business Name: DLP Cardiac Partners, LLC

Business #: 2314

Project Description: Temporarily replace fixed cardiac catheterization lab with mobile cardiac catheterization unit

County: Burke

Dear Mr. Leandro:

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 utilize without a certificate of need the Phillips FD-20 mobile cardiac catheterization lab to temporarily replace the GE Innova 2100IQ fixed cardiac catheterization lab. This determination is based on your representations that the GE Innova 2100IQ fixed cardiac catheterization lab will undergo repairs after which, upon completion of the repairs, the GE Innova 2100IQ fixed cardiac catheterization lab will return to service and the Phillips FD-20 mobile cardiac catheterization lab will be removed from the State 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,

Ena Lightbourne
Project Analyst

Micheala Mitchell
Chief

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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



Robert A. Leandro

Partner

t: 919.835.4636

f: 919.834.4564

robbleandro@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

January 24, 2025

VIA EMAIL

Micheala Mitchell, Chief
Health Planning and Certificate of Need Section
Micheala.mitchell@dhhs.nc.gov

Re: Written Notice for Exemption from CON Review for the Temporary Replacement of Mobile Cardiac Cath Lab

Dear Ms. Mitchell:

I am writing on behalf of my client DLP Cardiac Partners (“Cardiac Partners”) to provide prior written notice pursuant N.C.G.S. § 131E-184(a)(7) for the temporary use of a mobile cardiac catheterization lab (“Cath Lab”). Currently Cardiac Partners operates a fixed GE Innova 2100IQ Cath Lab at UNC Health Blue Ridge Hospital in Morganton, North Carolina pursuant to Cardiac Partners Settlement Agreement with the Agency. That fixed Cath Lab is currently inoperable after a series of malfunctions and may need to be replaced. Cardiac Partners intends to temporarily use a Phillips FD-20 mobile cardiac Cath Lab that it owns but is not active in North Carolina as a temporary replacement while it determines if the fixed Cath Lab can be repaired or needs to be replaced. Once the fixed Cath Lab has been repaired or it is determined that a replacement Cath Lab is necessary, the mobile Cath Lab will be taken off site and will not be used again at UNC Health Blue Ridge Hospital. Should Cardiac Partners determine that the fixed Cath Lab needs to be permanently replaced it will provide separate notice to the Agency.

The temporary mobile Cath Lab that will be used is comparable to the existing fixed Cath Lab currently in use at UNC Health Blue Ridge Hospital. It will be used for the same purposes as the existing fixed Cath Lab. The fixed Cath Lab at issue was last used on January 17, 2025.

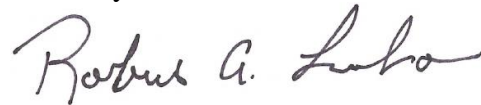
Based on the information provided, we request on behalf DLP Cardiac Partners that the Agency provide a written response confirming that our client may operate the temporary mobile

PPAB 11922650v2

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Cath Lab without CON review. Should the Agency need additional information, please let me know as soon as possible. Thank you in advance for your attention to this matter and we look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Robertt A. Leandro". The signature is written in a cursive style with a large, prominent 'R' and 'L'.

Robertt A. Leandro

RAL

From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#); [Lightbourne, Ena](#)
Cc: [Mckillip, Mike](#)
Subject: FW: [External] Cardiac Partners Letter Temporary Replacement Equipment Notice
Date: Friday, January 24, 2025 4:36:02 PM
Attachments: [Cardiac Partners January 24 2025 Letter to Micheala Mitchell.pdf](#)

Hi Tiffany- Can you log and assign this to Ena?

Ena- The provider's attorney has asked for a quick turnaround as it is for replacement cath equipment. Do you think you would be able to get to it by COB on Tuesday or Wednesday?

Mike- Gloria will be out the first 3 days of next week to participate in a hearing. If Ena can get it completed before Gloria returns, would you mind reviewing it?

Thanks,

Micheala

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

From: Leandro, Robert A. <robbleandro@parkerpoe.com>
Sent: Friday, January 24, 2025 4:28 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Subject: [External] Cardiac Partners Letter Temporary Replacement Equipment Notice

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Ms. Mitchell,

Please find attached my client DLP Cardiac Partners' request to temporarily replace the cath lab it uses at UNC Health Blue Ridge Hospital. My understanding is that they need to have the temporary replacement up and running as soon as possible so I am hoping you will be able to expedite the Agency's response.

Have a great weekend.

Robb

Robert Leandro

Partner

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PNC Plaza | 301 Fayetteville Street | Suite 1400 | Raleigh, NC 27601
Office: 919.835.4636 | Fax: 919.834.4564 | [map](#)

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