



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

JOSH STEIN • Governor

DEVPUTTA SANGVAI • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

June 4, 2025

Ms. Denise M. Gunter

Denise.gunter@nelsonmullins.com

Exempt from Review

Record #: 4795
Date of Request: May 28, 2025
Facility Name: FirstHealth Moore Regional Hospital
FID #: 943358
Business Name: FirstHealth of the Carolinas, Inc.
Business #: 737
Project Description: Replace air handler units in surgical suite
County: Moore

Dear Ms. Gunter:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that the above referenced proposal is exempt from certificate of need review in accordance with G.S. 131E-184(a)(4). Therefore, you may proceed to offer, develop or establish the above referenced project without a certificate of need.

It should be noted that this determination is binding only for the facts represented by you. Consequently, if changes are made in the project or in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by the Agency. Changes in a project include but are not limited to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Tanya M. Saporito
Project Analyst

Micheala Mitchell
Chief

cc: Construction Section, DHSR
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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

May 28, 2025

Via E-mail

Micheala Mitchell, Chief
Healthcare Planning and Certificate of Need Section
North Carolina Department of Health and Human Services
Division of Health Service Regulation
809 Ruggles Drive
Raleigh, North Carolina 27603

RE: Air Handler Unit Replacement in Operating Rooms at FirstHealth Moore Regional Hospital
Hospital License # H0100
FID # 943358
Moore County
Health Service Area V

Dear Ms. Mitchell:

On behalf of FirstHealth Moore Regional Hospital (“FMRH”) in Pinehurst, North Carolina, I am writing to inform the Agency that FMRH intends to replace the air handler units in its surgical suite. An air handler unit circulates conditioned air through a space and is integral to heating and cooling. In addition to maintaining a comfortable environment for patients and staff, a surgical suite’s heating, ventilation and air conditioning (“HVAC”) system, including the air handler units, is critically important in infection control.¹

The air handler units in FMRH’s surgical suite are at the end of their useful life and need to be replaced. The estimated capital cost to replace the air handler units is \$9,440,000.00 with an expected completion date of November 2025.

N.C. Gen. Stat. § §131E-184(a)(4) expressly exempts this project from CON regulation. This statute exempts from CON review projects “[t]o provide parking, heating

¹ For more information about the importance of HVAC systems in operating rooms, please see <https://www.csemag.com/specifying-ahus-for-health-care-facilities/>. (last visited 5/27/25).

Micheala Mitchell
May 28, 2025
Page 2

or cooling systems, elevators, or other basic plant or mechanical improvements, unless these activities are integral portions of a project that involves the construction of a new health service facility or portion thereof and that is subject to certificate of need review.”

The project described in this letter does not involve the construction of a new health service facility or portion thereof that is subject to CON review. Accordingly, this project is exempt pursuant to N.C. Gen. Stat. § 131E-184(a)(4).

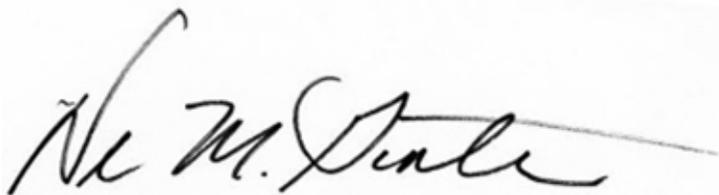
This project is also exempt from CON review pursuant to N.C. Gen. Stat. § 131E-184(g) because:

1. The surgical suite is located inside FHMRH, which qualifies as a “main campus” location pursuant to N.C. Gen. Stat. § 131E-176(14n)a. because it is the site of the main building from which a licensed health service facility provides clinical patient services and exercises financial and administrative control over the entire facility. See campus map attached as Exhibit A. The hospital is shown on the “visitor entrance” marked on the map;
2. The sole purpose of the capital expenditure is to renovate or replace a portion of an existing health service facility on the main campus;
3. The capital expenditure does not result in a change in bed capacity or the addition of a health service facility or any other new institutional health service other than that allowed in § 131-176(16)b; and
4. This letter serves as the required prior written notice.

Accordingly, we respectfully ask for the Agency’s written confirmation that the project described in this letter is not subject to CON review. If you need further information, please let me know.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Denise M. Gunter", is written over a light gray rectangular background.

Denise M. Gunter

Attachment

FirstHealth Moore Regional Hospital Area Map

Exhibit A

FirstHealth
Pinehurst, N.C.
www.firsthealth.org



1	Reid Heart Center - Chest Center of the Carolinas - FirstHealth Cardiology - FirstHealth Valve Clinic - FirstHealth Cardiovascular & Thoracic
2	FirstHealth Outpatient/Patient Registration - Employee/Occupational Health
3	Pinehurst Neurology
4	Pinehurst Oral Surgery
5	Mid-South Orthopaedics
6	Pinehurst Dermatology
7	Pinehurst Medical Clinic
8	FirstHealth Rehabilitation-Aviemore

9	FirstHealth Community Health Services - Diabetes & Nutrition Education Center
10	FirstHealth Neurosurgery
11	Pinehurst Plastic Surgery Specialists
12	Pinehurst Hip & Knee Center
13	Pinehurst Family Care Center
14	FirstHealth Cardiology
15	FirstHealth Outpatient Imaging
16	Pinehurst Radiology Associates
17	FirstCarolinaCare Insurance Company

18	FirstHealth Speciality Centers Building 18 - Infectious Diseases 18 - Transition Care Clinic 19 - Back & Neck Pain 19 - FirstHealth Patient Accounts 20 - Behavioral Services Clinic 21 - Wound Care & Hyperbarics
-----------	--

22	FirstHealth Outpatient Cancer Center
23	Clara McLean House
24	Surgery Center of Pinehurst
25	Pinehurst Surgical
26	FirstHealth Fitness
27	FirstHealth Rehabilitation-Moore Rehab

From: [Mckillip, Mike](#)
To: [Stancil, Tiffany C](#)
Cc: [Tanya, Saporito](#)
Subject: FW: [External] FirstHealth MRH OR Air Handler Unit Letter
Date: Wednesday, May 28, 2025 11:13:45 AM
Attachments: [FirstHealth MRH OR Air Handler Unit Letter.pdf](#)
[Campus Map.pdf](#)

Hi Tiffany,

As you probably guessed, this exemption letter request can be assigned to Tanya. Thanks.

Mike

Michael McKillip

Team Leader, Certificate of Need
Division of Health Service Regulation, Healthcare Planning and Certificate of Need
[NC Department of Health and Human Services](#)

Office: 919-855-3877 (I am in the office on Wednesday and Friday, and can best be reached by email on Monday, Tuesday and Thursday.)
mike.mckillip@dhhs.nc.gov

809 Ruggles Drive, Edgerton
2704 Mail Service Center
Raleigh, NC 27699

NCDHHS provides essential services to improve the health, safety and well-being of all North Carolinians. Learn more about [NCDHHS initiatives and priorities](#).



Learn more at [Medicaid.nc.gov](#).

[Twitter](#) | [Facebook](#) | [YouTube](#) | [LinkedIn](#)

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort is prohibited by law. If you have received this e-mail in error, please notify the sender immediately and delete all records of this email.

From: Denise Gunter <denise.gunter@nelsonmullins.com>
Sent: Wednesday, May 28, 2025 11:03 AM
To: Stancil, Tiffany C <Tiffany.Stancil@dhhs.nc.gov>; Tanya, Saporito <tanya.saporito@dhhs.nc.gov>;

Mckillip, Mike <mike.mckillip@dhhs.nc.gov>

Subject: [External] FirstHealth MRH OR Air Handler Unit Letter

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good morning,

I hope everyone is doing well. Attached for processing is an exemption letter for FirstHealth Moore Regional Hospital. Could you please confirm that you have received this?

Thanks.

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 336.774.3299

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

Confidentiality Notice

This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately either by phone (800-237-2000) or reply to this e-mail and delete all copies of this message.