Year	Petitioner	Request	Rationale	SHCC Action	Comments
2008	 Affordable HealthCare Facilities Carolina Ophthalmology <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pdf/2008/032 72008 acute petitions.pd <u>f</u> (Both petitions are in same document.) 	 Change ASC methodology to provide more price competition, increased access and choice, and transparency through a managed approach allowing for increased levels of price competition, while accounting for such factors as care for indigent populations and fragility of rural health care delivery. Exempt Ophthalmology ASCs from CON process. 	 CMS is moving toward further incentives to encourage use of ASCs. Therefore, it is fiscally responsible for the SHCC to encourage development of more cost-effective ASCs with cost transparency for patients. NC needs a methodology for single-specialty ASCs. 	Deny. Recommend Single Specialty Demonstration (SS Demo) Project. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2008/03272 008_acute_petitions.pdf (Agency report is in same document as petitions.)	
	 Franklin Regional Medical Center <u>https://www2.ncdhhs.gov</u> /<u>dhsr/mfp/pdf/2008/032</u> 72008 acute_petition3.p <u>df</u> 	 Apply different thresholds for OR need determination based on number of ORs in service area. 	 Approach was proposed at 2/8/2007 OR Workgroup meeting. 	Approve with modifications. Current methodology rounds deficits to next largest whole number based on number of ORs in service area. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2008/03272</u> <u>008_acute_petition3.pdf</u> (Agency report is in same document as petition.)	

Summary of Operating Room Petitions: 2008-2016

	Policy and Methodology (Spring) Petitions and Comments							
Year Petitioner		Request	Rationale	SHCC Action	Comments			
2009	 Affordable Health Care Facilities <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pets/2009/030 <u>5 acute amsu.pdf</u>. Follow link to see appendices. Southern Surgical Center <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pets/2009/030 <u>5 acute or.pdf</u> 	 Revise CON methodology for single specialty AMSU demonstration. 	 SHCC ignored major tenets of 2008 petition that address price competition and price ceiling limits. Should be no limit on number of demonstration sites. 	Deny. The Single Specialty Demonstration project was currently under development. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2009/acs/04</u> <u>02_acsrep2.pdf</u>	 https://www2.ncdhhs.gov/d hsr/mfp/pets/2009/0319 a cute_murphy.pdf https://www2.ncdhhs.gov/d hsr/mfp/pets/2009/0319 a cute_ncha.pdf https://www2.ncdhhs.gov/d hsr/mfp/pets/2009/0319 a cute_cfvssc.pdf 			
2010	 Novant Health <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pdf/2010/acs/ 0407petunderutilizeors.p df 	• Adjustment to definition and criteria for chronically underutilized facilities to require submission of at least three LRAs.	 Current language requires ORs to reach performance standard in 2 years, but CON language requires ORs to reach performance standards in 3 years. 	Approve. Incorporated into current methodology. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2010/acs/04</u> <u>07petunderutilizeorsagenc</u> <u>yrep.pdf</u>				
	Affordable Health Care Facilities <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pdf/2010/acs/ 0407petamsu.pdf endfit conditioned		 To allow competition where excessive pricing for facility services exists. 	Deny. Outside purview of SHCC. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2010/acs/04</u> <u>07petamsuagencyrep.pdf</u>				
2011	None							
2012	None							
2013	 MedCapital Advisors (same petitioner contact as Affordable Health Care Facilities) https://www2.ncdhhs.gov /dhsr/mfp/pets/2013/acs 	 Apply CON and licensure exceptions equally to all ASCs, regardless of specialty. Allow all surgical specialties to develop 		Deny. Outside purview of SHCC. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2013/acs/04</u> <u>03 amsu agencyrep.pdf</u>	 <u>https://www2.ncdhhs.gov/d</u> <u>hsr/mfp/pets/2013/acs/032</u> <u>5 amsu cfvhs.pdf</u> Follow link to access additional comments. 			

	Policy and Methodology (Spring) Petitions and Comments							
Year	Petitioner	er Request		SHCC Action	Comments			
	<u>/0307 ma_amsu.pdf</u> Follow link to access additional documents	and operate single specialty ASCs, not subject to CON and state licensure, equally as plastic surgery, oral maxillofacial surgery, and otolaryngology (ENT) do presently.						
2014	None							
2015	 Howard, Stallings, From, Hutson, Atkins, Angell, & Davis, P.A. <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pets/2015/acs /0305 ormethod petition .pdf 	 Review standard methodology 	 Hospitals are unduly protected from expansion of freestanding ASCs. Methodology does not consider dormant or underutilized ORs. Population has grown but surplus of ORs has remained static. 	Deny. SHCC acknowledged that OR methodology needs examination. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2015/acs/03</u> <u>31_ormethod_agencyrep.</u> <u>pdf</u>				
	 Knowles, Smith & Associates <u>https://www2.ncdhhs.gov</u> /dhsr/mfp/pets/2015/acs /0305_policy_petition.pdf 	Create policy to exempt pediatric dental ORs from need methodology.	 Medical, regulatory, financial, and geographical challenges to serving children with significant dental health needs, especially those children whose dental care is covered by Medicaid. 	Deny. Recommend stakeholder group or other mechanism to explore options. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2015/acs/03</u> <u>31 policy agencyrep.pdf</u>	 <u>https://www2.ncdhhs.gov/d</u> <u>hsr/mfp/pets/2015/acs/030</u> <u>5 policy ksa.pdf</u> Follow link to access additional comments. 			
2016	None							

	Adjusted Need Determination (Summer) Petitions and Comments								
Year	Service Area	Petitioner	Request	Rationale for Request	SHCC Action	Comments			
2008	Randolph County	Randolph Hospital https://www2.ncdhhs.g ov/dhsr/mfp/pdf/2008/ 09112008_acute_or_pe t.pdf	3 ORs	 Many procedures go out of county. All ORs are in hospital. Previous rounding in methodology disadvantaged the county Noted erroneous data from facility. 	Approve 2 ORs. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2008/09112 008_acute_or_agency.pdf				
2009	Various	 Atlantic Orthopedics https://www2.ncdhh s.gov/dhsr/mfp/pets/ 2009/0804 atlanticor tho.pdf Blue Ridge Bone & Joint https://www2.ncdhh s.gov/dhsr/mfp/pets/ 2009/0730_magura.p df Ancillary Care Solutions https://www2.ncdhh s.gov/dhsr/mfp/pets/ 2009/0804_edgar.pdf Southern Surgical Center https://www2.ncdhh s.gov/dhsr/mfp/pets/ 2009/0804_sscenter. pdf 	Change criteria for inclusion in Single Specialty Demonstra tion Project		Deny (Petitions were reviewed together.) https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2009/acs/09 16 amsurept.pdf	https://www2.ncdhhs.gov/d hsr/mfp/pets/2009/0722_ort ruax.pdf			

	Adjusted Need Determination (Summer) Petitions and Comments							
Year	Service Area	Petitioner	Request	Rationale for Request	SHCC Action	Comments		
		 NC Orthopaedic Assn. <u>https://www2.ncdhh</u> <u>s.gov/dhsr/mfp/pets/</u> 2009/0804_orthocen <u>ter.pdf</u> Affordable Health Care Facilities <u>https://www2.ncdhh</u> <u>s.gov/dhsr/mfp/pets/</u> 2009/0804_affordabl e.pdf 						
	Rowan County	Novant Health https://www2.ncdhhs.g ov/dhsr/mfp/pets/200 9/0804_novant.pdf		 Current language requires ORs to reach performance standard in 2 years, but CON language requires ORs to reach performance standards in 3 years. 	Defer until Spring 2010 https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2009/acs/09 16_novantrept.pdf			
	Cumber- land, Hoke, and Moore Counties	Cape Fear Valley Health System <u>https://www2.ncdhh</u> <u>s.gov/dhsr/mfp/pets/</u> <u>2009/0708_capefear</u> <u>pet.pdf</u>	Designate Hoke and Cumber- land as multi- county service area and designate Moore as single county service area.	Update population and utilization data to reflect current patterns.	Deny. Issue included in acute care workgroup in 2010. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2009/acs/09</u> <u>16_capefearrept.pdf</u>			

	Adjusted Need Determination (Summer) Petitions and Comments							
Year	Service Area	Petitioner	Request	Rationale for Request	SHCC Action	Comments		
2010	Catawba County	Graystone Eye Surgery Center <u>https://www2.ncdhhs.g</u> <u>ov/dhsr/mfp/pets/201</u> <u>0/acs/0804 graystone.</u> <u>pdf</u>	1 OR	 Chronically underutilized ORs prevent need determination. Facilities are at or near capacity. Demand and population are both increasing. 	Approve. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2010/acs/09 15 agencyreportgraystone .pdf			
2010	Rowan County	Novant Health and Rowan Regional Medical Center <u>https://www2.ncdhhs.g</u> <u>ov/dhsr/mfp/pets/201</u> <u>0/acs/0804_novantor.p</u> <u>df</u>	Remove need for 1 OR	 Utilization decreased. Time per case is less than planning standard 	Approve. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2010/acs/09 15 agencyreportnovantro wan.pdf			
	Wake County	WakeMed Health and Hospitals <u>https://www2.ncdhhs.g</u> <u>ov/dhsr/mfp/pets/201</u> <u>0/acs/0804_wakemed.</u> <u>pdf</u>	4 pediatric ORs	 Methodology does not distinguish among various patient types. Physical plant, medical procedures, and support services differ for pediatric patients. Existing ORs will exceed capacity within 3 years. 	Deny. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2010/acs/09 15 agencyreportwakemed .pdf	 <u>https://www2.ncdhhs.gov/dhsr/mfp/pets/2010/acs/0804_phillips.pdf</u> Follow link to access additional comments 		
	Columbus County	Columbus Regional Healthcare <u>https://www2.ncdhhs.g</u> <u>ov/dhsr/mfp/pets/201</u> <u>0/acs/0804 columbus.</u> <u>pdf</u>	Remove need for 1 OR	Updated data from facility.	Approve. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2010/acs/09 15_agencyreportcolumbus .pdf			
2011	Watauga, Ashe, Avery, Alleghany, Wilkes, and	Boone Surgcare https://www2.ncdhhs.g ov/dhsr/mfp/pets/201	3 ORs to serve patients from	• Growth of permanent and temporary population of region.	Deny. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2011/acs/09 15 agencyrepboone.pdf	 <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pets/2011/acs/0</u> <u>819 appalachian.pdf</u> 		

	Adjusted Need Determination (Summer) Petitions and Comments						
Year	Service Area	Petitioner	Request	Rationale for Request	SHCC Action	Comments	
	Caldwell Counties	<u>1/acs/0815_boonesurg</u> <u>care.pdf</u>	Watauga, Ashe, Avery, Alleghany, Wilkes, and Caldwell Counties	 Available hospitals cannot serve population. Locate ORs in Watauga County 		Follow link to access additional comments	
2012	Wake County	WakeMed https://www2.ncdhhs.g ov/dhsr/mfp/pets/201 2/acsc/0802 wake ped or.pdf	2 pediatric ORs	 Growing pediatric population. Special needs of patients. Cited Truven data for procedures (but could not determine whether procedures performed in OR or procedure room). 	Deny. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2012/acsc/0 911 agencyrep wm.pdf	 <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pets/2012/acsc/</u> <u>0802_phillips.pdf</u> Follow link to access additional comments 	
2013	None						
2014	New Hanover	Wilmington Health https://www2.ncdhhs.g ov/dhsr/mfp/pets/201 4/acs/0731 newhanov erors_pet.pdf	2 ORs	 CON for 2 ORs has not been completed. Even with these 2 undeveloped ORs, New Hanover County has a deficit very close to triggering a need determination. 	Deny. Wait until new ORs are licensed to see if need exists. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2014/acs/09</u> <u>10 newhanorverors agen</u> <u>cyrep.pdf</u>	 <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pets/2014/acs/0</u> <u>818 newhanoverors nhrm</u> <u>c.pdf</u> Follow link to access additional comments 	
2015	Wake, Cumberland	 Knowles, Smith & Associates <u>https://www2.ncdhh</u> <u>s.gov/dhsr/mfp/pets</u> /2015/acs/0803_cu mberland_dor_petiti on.pdf 	Dental OR demonstra tion project	 Attributes of dental surgery procedures and OR suites cause difficulties in obtaining OR time in ASCs and hospitals. 	Deny. Petitions were basis of current Dental OR Demo. Project. <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pdf/2015/acs/09</u> <u>01 cumberland dor agen</u> <u>cyreport.pdf</u>	https://www2.ncdhhs.gov/d hsr/mfp/pets/2015/acs/0803 wake dor vfd.pdf Follow link to access additional comments	

	Adjusted Need Determination (Summer) Petitions and Comments							
Year	Service Area	Petitioner	Request	Rationale for Request	SHCC Action	Comments		
	Buncombe/ Madison/ Yancey	 Triangle Implant Center <u>https://www2.ncdhh</u> <u>s.gov/dhsr/mfp/pets</u> /2015/acs/0803 wak <u>e dor petition.pdf</u> Blue Ridge Bone and Joint <u>https://www2.ncdhh</u> <u>s.gov/dhsr/mfp/pets</u> /2015/acs/0803 bun <u>combe_ssamsu_petit</u> <u>ion.pdf</u> 	Inclusion in the Single Specialty Demonstra tion Project	 Reconsider criteria for inclusion in the Demonstration Project. 	https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2015/acs/09 01 wake dor agencyrepo rt.pdf Deny. Sites have been selected. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2015/acs/09 01_buncombe_ssamsu_ag encyreport.pdf	• <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pets/2015/acs/0</u> <u>803 buncombe ssamsu b</u> <u>rbjo.pdf</u> Follow link to access additional comments		
2016	Catawba County	Graystone Ophthalmology Associates <u>https://www2.ncdhhs.g</u> <u>ov/dhsr/mfp/pets/201</u> <u>6/acs/0729_or_catawb</u> <u>a_petition.pdf</u>	1 OR in Catawba County	 County is hub for ambulatory surgery. Growing elderly population. 	Deny. https://www2.ncdhhs.gov/ dhsr/mfp/pdf/2016/acs/09 06 or catawba agencyrep .pdf	• <u>https://www2.ncdhhs.gov/</u> <u>dhsr/mfp/pets/2016/acs/0</u> <u>729 or catawba los.pdf</u> Follow link to access additional comments		