



Acute Care Services Committee Minutes - DRAFT
September 13, 2022
10:00 AM – 12:00 PM
WebEx Event

Healthcare Planning and Certificate of Need Section

Members Present: Mr. John Young, Dr. Charul Haugan, Rep. Gale Adcock, Mr. William (Brian) Floyd, Ms. Denise Mihal, Dr. Robert McBride, Dr. Vaishali Nadkarni, Dr. Jessie Tucker, Dr. Sandra Greene – SHCC Chair (<i>ex officio – did not vote</i>)
Healthcare Planning Staff Present: Ms. Melinda Boyette, Ms. Elizabeth Brown, Dr. Amy Craddock, Dr. Andrea Emanuel, Ms. Trenesse Michael
DHSR Staff Present: Ms. Micheala Mitchell, Ms. Donna Donihi, Ms. Julie Faenza, Ms. Lisa Pittman
Attorney General’s Office: Mr. Derek Hunter

Agenda Items	Discussion/Action	Motions	Votes	Recommendations/ Actions
Welcome & Introductions	Mr. Young welcomed members, staff and visitors to the meeting. He acknowledged that the meeting was open to the public; however, discussions, deliberations, and recommendations would be limited to members of the Acute Care Services Committee and staff.			
Review of Executive Order No. 46 and Executive Order No. 187	Mr. Young reviewed Executive Orders 46 and 187 with committee members and explained procedures to observe before taking action at the meeting.			
Approval of Corrections to April 12, 2022 Minutes	A motion was made and seconded to approve the corrected April 12, 2022 minutes.	Adcock Tucker	Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None	Motion approved
Approval of May 10, 2022 Minutes	A motion was made and seconded to approve the May 10, 2022 minutes.	Mihal McBride	Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None	Motion approved

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<p>Acute Care Hospital Beds – Chapter 5</p>	<p><i>Petition 1: Margaret R. Pardee Memorial Hospital</i> The Petitioner requested the removal of the 31-acute care bed need determination for the Buncombe/Graham/Madison/Yancey service area. One comment was submitted in opposition to the petition.</p> <p><u>Committee Recommendation:</u> The Agency recommended approval of the petition. A motion was made and seconded to accept the Agency’s recommendation.</p> <p><i>Petition 2: Cape Fear Valley Health System</i> The Petitioner requested an adjusted need determination for 20 additional acute care beds in the Cumberland County service area. There were no comments submitted regarding this petition.</p> <p><u>Committee Recommendation:</u> The Agency recommended approval of the petition. A motion was made and seconded to accept the Agency’s recommendation.</p> <p><i>Petitions 3 & 4: Cape Fear Valley Health System and FirstHealth of the Carolinas</i> Both Petitioners requested removal of the 54-acute care bed need determination for the Hoke County service area. There were no comments submitted regarding this petition. The Agency prepared a single Agency Report covering both petitions.</p> <p><u>Committee Recommendation:</u> The Agency recommended approval of the petitions. A motion was made and seconded to accept the Agency’s recommendation.</p>	<p>Tucker Adcock</p> <p>Haugan McBride</p> <p>Adcock McBride</p>	<p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None</p> <p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None</p> <p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None</p>	<p>Motion approved</p> <p>Motion approved</p> <p>Motion approved</p>

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	<p><i>Petition 5: UNC Health Johnston</i> The Petitioner requested an adjusted need determination for 24 additional acute care beds in the Johnston County service area. There were no comments submitted regarding this petition.</p> <p><u>Committee Recommendation:</u> The Agency recommended denial of the petition. A motion was made and seconded to accept the Agency’s recommendation.</p> <p><i>Data Updates</i> Dr. Emanuel reported data updates to tables for acute care beds.</p>	Tucker Floyd	Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None	Motion approved
<p>Operating Rooms – Chapter 6</p>	<p><i>Petition 6: Carolina Vascular Care</i> The Petitioner requested an adjusted need determination for one single specialty ambulatory surgical center with one operating room (OR) dedicated to vascular access (VA) in Nash County. The Agency received 12 comments in support of the petition and one comment in opposition.</p> <p><u>Committee Recommendation:</u> The Agency recommended denial of the petition and instead recommended approval of one dedicated ambulatory VA OR in each of the six HSAs in the State for a total of six VA ORs with the following stipulations: the ORs may be located in a new ambulatory surgical facility (ASC), an existing ASC, or a hospital outpatient surgery department; the ORs may serve only dialysis patients; and the ORs and utilization will be included in the planning inventory A motion was made and seconded to accept the Agency’s recommendation.</p> <p><i>Petition 7: EmergeOrtho</i> The Petitioner requested an adjusted need determination for 2 ORs in the Johnston County service area.</p> <p><u>Committee Recommendation:</u> The Agency recommended approval of the petition. A motion was made and seconded to accept the Agency’s recommendation.</p>	McBride Mihal McBride Adcock	Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None	Motion approved

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	<p><i>Petition 8: Vidant Medical Center</i> The Petitioner requested an adjusted need determination for 3 ORs in the Pitt/Greene/Hyde/Tyrrell service area.</p> <p><u>Committee Recommendation:</u> The Agency recommended approval of the petition. A motion was made and seconded to accept the Agency’s recommendation.</p> <p><i>Dental Single-Specialty Ambulatory Surgical Facility Demonstration Project</i> Dr. Emanuel provided updates on the four sites in this demonstration project. All four facilities reporting are meeting the criteria of the demonstration. This presentation is for information purposes only; no vote is taken.</p> <p><i>Data Updates</i> Dr. Emanuel reported updates to data tables for ORs.</p>	Haugan McBride	Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Recusal: Floyd Nays: None	Motion approved
Other Acute Care Services – Chapter 7	<p>The Agency received no petitions regarding other acute care services.</p> <p><i>Data Updates</i> No updates to data were made after release of the <i>2023 Proposed SMFP</i>.</p>			
Inpatient Rehabilitation Services – Chapter 8	<p>The Agency received no petitions regarding inpatient rehabilitation services.</p> <p><i>Data Updates</i> No updates to data were made after release of the <i>2023 Proposed SMFP</i>.</p>			
End-Stage Renal Disease Dialysis Facilities – Chapter 9	<p><i>Petition 9: Liberty Healthcare & Rehabilitation Services</i> The Petitioner requested a nursing home pilot demonstration project of six outpatient dialysis stations in Mecklenburg County to be located at Royal Park of Matthews.</p> <p><u>Committee Recommendation:</u> The Agency recommended denial of the petition and as an alternative, the Agency recommended approving a county</p>			

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	<p>need determination for six outpatient dialysis stations at a nursing home facility in Mecklenburg County with the following stipulations:</p> <ol style="list-style-type: none"> 1) a licensed nursing home facility shall propose to develop at least the minimum number of stations required for Medicare certification by CMS as a dialysis facility; and 2) the new stations must be sited within a nursing home facility or “proximate to the nursing home building,” i.e., on the same property as the nursing home facility; and 3) the dialysis facility must comply with the federal life safety and building code requirements applicable to a nursing home if located within it and the life safety and building code requirements applicable to dialysis facilities if located within the nursing home or “proximate to the nursing home building;” and 4) the Certificate of Need will include a condition requiring the dialysis facility to document that it has applied for Medicare certification no later than three years from the effective date of the CON; and 5) dialysis stations developed pursuant to this need determination are excluded from the planning inventory in the SMFP and excluded from the county and facility need methodologies; and 6) outpatient dialysis facilities developed pursuant to this need determination shall report utilization to the Agency in the same manner as other outpatient dialysis facilities. <p>A motion was made and seconded to divide the Agency’s recommendation into two separate action items.</p> <p>A motion was made and seconded to accept the Agency’s recommendation for a county need determination for six outpatient dialysis stations at a nursing home facility in Mecklenburg County with all the following stipulations mentioned above.</p>	<p>Adcock McBride</p> <p>McBride Tucker</p>	<p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Tucker, Young Nays: None Abstains: Young</p> <p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Tucker, Young Nays: None Abstains: Young</p>	<p>Motion approved</p> <p>Motion approved</p>

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	<p>A motion was made and seconded to accept the Agency’s recommendation to deny the Petition request for a nursing home pilot demonstration project of six outpatient dialysis stations in Mecklenburg County to be located at Royal Park of Matthews.</p> <p><i>Data Updates</i> Ms. Brown reported updates to data tables for dialysis.</p>	McBride Tucker	<p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Tucker, Young Nays: None Abstains: Young</p>	Motion approved
Other Business	<p><u>Committee Recommendation:</u> A motion was made and seconded to approve the draft data and need determinations for Chapters 5 – 9, and to authorize staff to update data and make necessary corrections and changes.</p> <p>Mr. Young reminded everyone that the SHCC would next meet on September 28, 2022 at 10:00 a.m. in the Brown Building, Conference Room 104 on the Dorothea Dix Hospital Campus.</p>	Haugan Adcock	<p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None</p>	Motion approved
Adjournment	There being no further business, Mr. Young called for a motion to adjourn the meeting.	Floyd Adcock	<p>Ayes: Adcock, Floyd, Haugan, McBride, Mihal, Nadkarni, Tucker Abstains: Young Nays: None</p>	Motion approved