

PETITION FOR AN ADJUSTMENT TO A NEED DETERMINATION

Petition to Remove the Fixed MRI Need Determination in the Pasquotank/Camden/Currituck/Perquimans Service Area in the *2020 State Medical Facilities Plan*

PETITIONER

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STATEMENT OF THE PROPOSED CHANGE

Sentara Albemarle Medical Center (SAMC) respectfully petitions the State Health Coordinating Council (SHCC) to remove the need determination for one fixed MRI scanner in the Pasquotank/Camden/Currituck/Perquimans service area in the *2020 State Medical Facilities Plan (SMFP)*. Table 17E-3 in the *Proposed 2020 SMFP* shows a need for an additional fixed MRI scanner for that service area; SAMC requests that the need determination be removed and that there would be no need for a fixed MRI scanner in that service area in the *2020 SMFP*.

REASON FOR THE REQUESTED ADJUSTMENT

While the standard methodology has generated a need for a second fixed MRI scanner for three years, and though there has been some growth in MRI volume in the service area, SAMC continues to believe that prudent health planning would delay the allocation of another fixed MRI scanner in the service area for another year. The reasons to remove the need determination from the *2020 SMFP* are similar to those in previous years but remain nonetheless pertinent, as discussed in this petition.

For more than a decade, SAMC has been the sole provider of MRI services in the four-county service area. While the hospital's mobile MRI scanner served two sites in Currituck County in the mid-2000s, the volume at these sites was low and SAMC is currently the only site of MRI service in the service area. As the only MRI provider in the four-county area, SAMC believes that despite the proposed need determination, there is no need for an additional fixed MRI scanner in the service area at this time, for the following reasons.

1. Low Volume Growth Trends

Over the past six years, MRI volume in the service area has changed only modestly. As shown in the table below, the utilization of SAMC's fixed MRI scanner has fluctuated slightly, but the overall trend has been only a modest increase in volume.

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SMFP Year	Fixed MRI Volume (weighted procedures)
2014	3,790
2015	3,720
2016	3,603
2017	3,304
2018	3,776
2019	3,992
Proposed 2020	4,380
CAGR*	2.44%

*Compound Annual Growth Rate

In addition to the scans provided by the fixed MRI, most of the growth in volume in the service area has been accommodated by SAMC's mobile MRI scanner. However, in FY 2018, that scanner served only two sites and performed a total of 971 weighted scans. As discussed in further detail below, that scanner has additional capacity to accommodate future growth.

SAMC does not believe any compelling reasons exist at present that would change the historical growth rates in the service area, at least not significantly enough to fully utilize the existing fixed scanner and require a second fixed scanner (see discussion under #3 below). In particular, the service area experiences outmigration for tertiary and other services, and many of those patients have MRI scans performed as part of those services in other parts of North Carolina and other states. As long as this outmigration persists, it is unlikely that MRI volume generated by these patients will be performed in the service area. As such, SAMC does not believe that another fixed MRI scanner is needed in the service area at this time.

2. Low population with minimal growth

The four counties in the service area are small, rural and experience relatively low population growth. As shown below, the projected compound annual growth rate over the next five years for the combined service area population is less than one percent.

County	2019 Population	2024 Population	Compound Annual Growth Rate
Pasquotank	39,816	39,803	-0.01%
Camden	10,460	10,604	0.27%
Currituck	27,978	31,255	2.24%
Perquimans	13,785	14,191	0.58%
Total	92,039	95,853	0.82%

Source: NC Office of State Budget and Management; December 2018 projections, accessed July 2019.

Of note, Pasquotank County is projected to have a slight decrease in population over the next five years. Although Currituck County has a higher growth rate than the other counties in the

service area, its population is still relatively low, and could likely not support a fixed MRI scanner. To that point, Table 17E-1 in the *Proposed 2020 SMFP* shows that no county with a population lower than Currituck's has a fixed MRI scanner, except those with a hospital, which Currituck County does not have. Further, none of the MRI sites in counties of a similar or smaller size, whether fixed or mobile, have the volume required to demonstrate need for a second fixed MRI scanner in a Certificate of Need review, which is 3,775 weighted procedures. Thus, SAMC does not believe that the current and projected population growth in the service area warrants a second fixed MRI scanner at this time.

3. Sufficient MRI capacity

According to the *SMFP*, the annual maximum capacity of a fixed MRI scanner is 6,864 procedures per year. With a total of 4,380 procedures performed in FY 2018, the existing scanner at SAMC is capable of performing an additional 2,484 procedures before reaching capacity. While SAMC agrees with the standard methodology, which allows for planning well in advance of reaching maximum capacity, given the historical volume and population trends, SAMC believes that the existing fixed scanner has sufficient capacity to meet any normal growth for the foreseeable future.

Moreover, as discussed above, SAMC owns an existing mobile MRI scanner, which is able to provide additional capacity at SAMC if needed. In FY 2018, the mobile MRI scanner performed 971 weighted procedures at two sites: Sentara Kitty Hawk and SAMC. Clearly, the mobile scanner has sufficient capacity to provide additional service to the Pasquotank/Camden/Currituck/Perquimans service area, if needed. To that point, two-thirds of the service area volume growth in the most recent year was accommodated on SAMC's mobile scanner (753 additional scans out of a total of 1,141 additional scans), demonstrating its ability to meet any short-term capacity needs that might arise. Although a mobile scanner may have lower practical capacity, due to time needed to relocate the unit, the nature of mobile service and other factors, SAMC believes its mobile unit can provide capacity needed for growth in the immediate future. Further, an existing mobile MRI scanner, particularly one with available capacity, may be a more prudent option for a rural multi-county area than a second fixed MRI scanner, which would not likely be well utilized.

4. Difficulty meeting CON rules

Another reason for removing the need determination is the likelihood that a CON applicant, including SAMC, would have difficulty meeting the prospective performance standards in the CON rules for fixed MRI scanners. The CON rules, which were written to mirror the *SMFP* methodology, require an applicant in a service area with one existing fixed MRI scanner to project that the proposed MRI scanner will achieve a minimum of 3,775 weighted procedures by the third project year. If the applicant has an existing fixed MRI scanner, it has to reasonably project that each scanner will achieve 3,775 procedures. Since SAMC performed 4,380 weighted procedures in FY 2018, it would need to project its volume to grow by nearly 75 percent by the third project year in order to meet this standard.

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If the need remains in the *2020 SMFP*, and if SAMC applies for the additional fixed MRI scanner, assuming the additional scanner is made operational by October 2021 (the start of FY 2022), the third project year would be FY 2024. Thus, SAMC would need to project 7,550 ($3,775 \times 2 = 7,550$) weighted procedures by FY 2024. To grow from 4,380 procedures in 2018 to 7,550 in 2024 requires an 9.5 percent compound annual growth rate. As shown above, the service area has not experienced that level of historical growth either in population or MRI procedures. While a few urban and suburban areas with high growth and immigration may be able to rationalize a 9.5 percent annual growth rate, SAMC is doubtful that the Healthcare Planning and Certificate of Need Section would find such a rate reasonable in a CON review in its service area, without substantial documentation of the expected change from the historical trend.

Not only would SAMC have difficulty meeting the performance standards for its fixed MRI, but it would also have difficulty meeting the historical volume requirements for its mobile MRI scanner. The CON rules require an applicant to demonstrate that each of its existing mobile MRI scanners in a service area performed a total of 3,328 weighted MRI procedures in the most recent 12-month period. Since SAMC’s mobile MRI scanner performed 971 weighted mobile scans in FY 2018, it is unlikely that the mobile scanner would grow by an additional 2,357 scans prior to filing the CON application. More importantly, SAMC’s mobile MRI does have available capacity to serve residents of the service area, which obviates the need for another fixed scanner at this time.

5. SAMC was previously approved for a second fixed scanner that was never developed.

As many members of the SHCC may be aware, the current methodology for fixed MRI scanners was developed for the *2005 SMFP*. During the early to mid-2000s, MRI volume was rapidly increasing, as clinical applications for the technology increased and costs for the equipment decreased. During this time of growth and subsequent to the *2006 SMFP*, SAMC was approved to develop a second fixed MRI scanner. As shown below, MRI volume was increasing during this time, and if the trend had continued, a second scanner would have been needed.

<i>Fiscal Year</i>	<i>Service Area MRI Volume (weighted procedures)</i>
2005	4,490
2006	4,793
2007	4,877
CAGR	4.2%

Source: 2007-2009 *SMFPs*

Before the project was developed, however, the economic downturn occurred, with the greatest impact in rural areas like northeastern North Carolina. As unemployment grew, healthcare volume declined, including for technology like MRI. Although the economy improved from the height of the recession, other factors, such as the push by insurers for pre-authorization and the implementation of health reform, continued to suppress growth in volume for services like MRI, as shown below.

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<i>Fiscal Year</i>	<i>Service Area MRI Volume (weighted procedures)</i>
2008	4,277
2009	4,253
2010	3,834
CAGR	-5.3%

Source: 2010-2012 *SMFPs*

As a result, SAMC (at the time not part of Sentara Healthcare) decided not to develop the second fixed MRI scanner and relinquished its Certificate of Need. With 4,380 procedures performed in FY 2018, SAMC's MRI volume is 10 percent lower than the highest volume year, 2007, when the sole fixed MRI scanner at SAMC performed 4,877 procedures¹. SAMC does not currently expect MRI volume in the service area to exceed this historical level in the near future; thus, the existing fixed MRI at SAMC is sufficient to meet the current and expected future need in the service area.

ADVERSE EFFECTS IF PETITION IS NOT APPROVED

If the petition is not approved, the need determination will remain in the final *2020 SMFP*. It is possible that another entity will apply for the MRI scanner and project sufficient volume to be approved. However, the CON process does not require such an applicant to demonstrate volume for all the MRI scanners in the service area; thus, the second scanner could project volume on its scanner that would effectively leave the scanner at SAMC with little to no volume and still be approved. Given the trends documented above, SAMC believes that it is not reasonable to assume that a total of 7,550 MRI procedures will be performed in the service area in the near future. As such, the SHCC should consider that two fixed MRI scanners in the service area would not both be well-utilized, and the second MRI scanner would be unnecessary duplication.

ALTERNATIVES CONSIDERED

SAMC considered not filing a petition and potentially applying for the need determination in the *2020 SMFP*. However, given the cost of submitting an application, the cost of developing a second fixed MRI scanner, and the available capacity of SAMC's fixed and mobile MRI scanners to serve the area, SAMC determined that the best alternative was to ask the SHCC to remove the need determination.

UNNECESSARY DUPLICATION

As discussed above, SAMC believes that the need determination could lead to unnecessary duplication, given the available capacity of fixed and mobile MRI scanners to serve the area. Thus, the approval of the petition will obviate the potential for unnecessary duplication.

¹ Although the *2009 SMFP* shows an inventory of two fixed MRI scanners at Albemarle Hospital, the second MRI scanner shown was a placeholder for the approved but inchoate fixed MRI scanner, which was never developed.

BASIC PRINCIPLES

Safety and Quality

The existing MRI service at SAMC provides care in a safe and high-quality manner and can continue to do so while meeting the expected future volume demand of the patients it serves. As part of Sentara Healthcare, SAMC has a mission to improve health every day. This mandate is pursued through a disciplined strategy to achieve Top 10% performance in key measures through shared best practices, transformation of primary care through clinical integration and strategic growth that adds value to the communities it serves. This mission will ensure that patients have access to MRI services in the service area, without needing a second fixed MRI scanner at this time.

Access

Sufficient MRI capacity exists in the service area to meet the need of the population for some time. SAMC, a not-for-profit hospital with a mission to serve the community, provides care to all in medical need of services, including the medically underserved, without regard to age, race, gender, disability, payor status, or ability to pay. Compared to a second fixed MRI scanner, SAMC's mobile MRI scanner can more effectively provide access at multiple sites across the multi-county service area and beyond. Given these factors, SAMC does not believe that approval of the petition will prevent anyone in the service area from accessing MRI services as needed.

Value

The removal of the need determination for the service area will enhance value by preventing the potential development of an unneeded second MRI scanner. The existing fixed and mobile MRI scanners in the service area can accommodate any reasonable and anticipated growth in volume, which will increase their utilization, helping to maximize the value of the existing capacity in the service area.

CONCLUSION

SAMC supports the standard MRI methodology in the *SMFP*, which takes a tiered approach to determining need in order to ensure access to the service in areas with different levels of existing capacity. If growth in MRI procedures continues, there may be a true need for another fixed MRI in future years. However, given the unique factors in the Pasquotank/Camden/Currituck/Perquimans service area, such as low volume growth trends, low population growth, sufficient fixed and mobile MRI capacity, and the difficulty an applicant would have in meeting the CON rules given these factors, SAMC believes that the citizens of North Carolina, particularly those in northeastern North Carolina, would best be served by removing the need determination from the *2020 SMFP*.