

**ATRIUM HEALTH COMMENTS ON CONE HEALTH PROPOSED POLICY
TE-5 PLAN EXEMPTION FOR LINEAR ACCELERATORS
IN THE 2026 STATE MEDICAL FACILITIES PLAN**

COMMENTER

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Atrium Health (Atrium) appreciates the opportunity to comment on the Cone Health proposed policy TE-5 to exempt linear accelerators (LINACs) from the need methodology in the 2026 State Medical Facilities Plan (SMFP). Based on its detailed review of the proposed policy, Atrium requests the State Health Coordinating Council (SHCC) not approve this policy due to potential unintended consequences of the proposed policy that could result in perpetually underutilized LINACs and inefficient distribution of medical resources.

The proposed policy would create an opportunity for a hospital with historical linear accelerator procedure volumes exceeding the methodology threshold by 10 percent for a three-year period to file a certificate of need application to acquire a new LINAC regardless of the need in the SMFP. Limitations on the Plan exemption require the LINAC to be located on a hospital campus, meet the CON performance standards, and would not apply if a need determination had occurred in the service area in the preceding three years. If this petition is approved, the exemption would allow a LINAC to be added to a service area where there are underutilized LINACs.

The petition also includes a summary of the Linear Accelerator Discussion Group that was convened earlier this year. In that meeting many providers from around the state raised concerns about safety, quality, and staffing that could be impacted with unnecessary duplication of LINAC services. The other main topic discussed by the group was updating/revising the need methodology in the SMFP. The LINAC methodology is convoluted and outdated requiring two of three different factors be met before a new LINAC is needed in a service area. The methodology has remained unchanged for at least 20 years. Atrium suggests that methodology improvements would be a more prudent solution than an exemption policy.

In summary, Atrium agrees there may be some service areas where the current LINAC methodology does not accurately reflect the need for additional equipment capacity. However, we do not agree that the proposed policy is the best method to address these issues. Providers facing the circumstances described in the petition have the option to file a special needs petition to address the unique characteristics of their service area and request a special need determination. Atrium recommends the SHCC not adopt the policy as proposed. Atrium appreciates the opportunity to provide these comments.