

10A NCAC 14C .1703 is readopted as published in 36:02 NCR 94-108 as follows:

10A NCAC 14C .1703 PERFORMANCE STANDARDS

~~(a) An applicant that proposes to develop open heart surgery services shall:~~

~~(1) demonstrate that the projected utilization and proposed staffing patterns are such that each open heart surgical team shall perform at least 150 open heart surgical procedures in the third year following completion of the project; and~~

~~(2) document the assumptions and provide data supporting the methodology used to make these projections.~~

~~(b) An applicant that proposes to acquire a heart lung bypass machine shall demonstrate either:~~

~~(1) that the applicant's projected annual utilization of its existing, approved, and proposed heart lung bypass machines (other than a machine acquired pursuant to 10A NCAC 14C .1703(b)(3)) will be at least 200 open heart surgical procedures per machine during the third year following completion of the project;~~

~~(2) that the projected annual utilization of its existing, approved, and proposed heart lung bypass machines (other than a machine acquired pursuant to 10A NCAC 14C .1703(b)(3)), will be at least 900 hours per year during the third year following completion of the project, as measured in minutes used or staffed on standby for all procedures; or~~

~~(3) that the proposed machine is needed to provide coverage for open heart surgery emergencies and will not be scheduled for use at the same time as the applicant's equipment used to support scheduled open heart surgical procedures.~~

(a) A health service facility that proposes to develop a new open-heart surgery service shall:

(1) provide the projected number of open-heart surgical procedures to be performed during each of the first three full fiscal years of operation following completion of the project;

(2) provide the assumptions and methodology used to project the utilization required by Subparagraph (a)(1) of this Paragraph; and

(3) project to perform 150 or more open-heart surgical procedures in the third full fiscal year of operation following completion of the project.

(b) A health service facility that proposes to acquire a heart-lung bypass machine, excluding a heart-lung bypass machine proposed to be acquired pursuant to Policy AC-6 in the annual State Medical Facilities Plan in effect as of the first day of the review period, shall:

(1) provide the number of existing heart-lung bypass machines owned or operated by the health service facility;

(2) provide the number of approved heart-lung bypass machines that will be owned or operated by the health service facility;

- 1 (3) provide projected utilization of the existing and approved heart-lung bypass machines identified in
 2 Subparagraphs (b)(1) and (b)(2) of this Paragraph and the proposed heart-lung bypass machine
 3 during each of the first three full fiscal years of operation following completion of the project;
 4 (4) provide the assumptions and methodology used to project the utilization required by Subparagraph
 5 (b)(3) of this Paragraph; and
 6 (5) project that the existing and approved heart-lung bypass machines identified in Subparagraphs (b)(1)
 7 and (b)(2) of this Paragraph and the proposed heart-lung bypass machine will be used during the
 8 third full fiscal year of operation following completion of the project:
 9 (A) to perform 200 or more open-heart surgical procedures per heart-lung bypass machine; or
 10 (B) for 900 hours or more per heart-lung bypass machine, including time in use and time spent
 11 on standby, for all types of procedures.

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 13 *History Note: Authority G.S. 131E-177(1); 131E-183(b);*
 14 *Eff. January 1, 1987;*
 15 *Amended Eff. November 1, 1989;*
 16 *Temporary Amendment Eff. September 1, 1993 for a period of 180 days or until the permanent rule*
 17 *becomes effective, whichever is sooner;*
 18 *Amended Eff. January 4, 1994;*
 19 *Temporary Amendment January 1, 1999;*
 20 *Temporary Eff. January 1, 1999 expired October 12, 1999;*
 21 *Temporary Amendment Eff. January 1, 2000 and shall expire on the date the permanent amendment*
 22 *to this rule, approved by the Rules Review Commission on November 17, 1999, becomes effective;*
 23 *Amended Eff. July 1, 2000;*
 24 *Temporary Amendment Eff. January 1, 2002;*
 25 *Amended Eff. April 1, 2003;*
 26 *Temporary Amendment Eff. February 1, 2010;*
 27 *Amended Eff. January 1, 2013; November 1, 2010; 2010;*
 28 *Readopted Eff. February 1, 2022.*