

1 10A NCAC 14C .1703 is proposed as a temporary rule as follows:

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3 **10A NCAC 14C .1703 PERFORMANCE STANDARDS**

4 The applicant shall demonstrate that the proposed project is capable of meeting the following standards:

- 5 ~~(1) the applicant shall perform at least four diagnostic catheterizations per open heart surgical~~
6 ~~procedure during each quarter;~~
7 ~~(2)~~ (1) an applicant's existing and new or additional heart-lung bypass machines shall be utilized at an
8 annual rate of 200 open heart surgical procedures per machine, measured during the twelfth
9 quarter following completion of the project;
10 ~~(3)~~ (2) at least 50 percent of the projected open heart surgical procedures shall be performed on patients
11 residing within the primary open heart surgery service area;
12 ~~(4)~~ (3) the applicant's projected utilization and proposed staffing patterns are such that each open heart
13 surgical team shall perform at an annual rate of at least 150 open heart surgical procedures by the
14 end of the third year following completion of the project;
15 ~~(5)~~ (4) the applicant shall document the assumptions and provide data supporting the methodology used
16 to make these projections; and
17 ~~(6)~~ (5) heart-lung bypass machines that have been acquired for non-surgical use, or for non-heart surgical
18 procedure use, and that are dedicated for services that are not related to the open heart surgery
19 services, shall not be utilized in the performance of open heart surgical procedures.
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21 *History Note: Authority G.S. 131E-177(1); 131E-183(b);*
22 *Eff. January 1, 1987;*
23 *Amended Eff. November 1, 1989;*
24 *Temporary Amendment Eff. September 1, 1993 for a period of 180 days or until the permanent*
25 *rule becomes effective, whichever is sooner;*
26 *Amended Eff. January 4, 1994;*
27 *Temporary Amendment January 1, 1999;*
28 *Temporary Eff. January 1, 1999 expired October 12, 1999;*
29 *Temporary Amendment Eff. January 1, 2000 and shall expire on the date the permanent*
30 *amendment to this rule, approved by the Rules Review Commission on November 17, 1999,*
31 *becomes effective;*
32 *Amended Eff. July 1, 2000;*
33 *Temporary Amendment Eff. January 1, 2002;*
34 *Amended Eff. April 1, 2003;*
35 *Temporary Amendment Eff. February 1, 2010.*