

**10A NCAC 14C .1403 PERFORMANCE STANDARDS**

(a) An applicant proposing to develop a new Level IV neonatal intensive care service without increasing the total number of acute care beds on the hospital license shall:

- (1) provide projected utilization of the proposed NICU beds during each of the first three full fiscal years of operation following completion of the project;
- (2) document that the occupancy rate for the proposed NICU beds shall be at least 65 percent during the third full fiscal year of operation following completion of the project; and
- (3) provide the assumptions and methodology used for the projected utilization and occupancy rate required by Subparagraphs (1) and (2) of this Paragraph.

(b) An applicant proposing to develop a new Level IV neonatal intensive care service or increase the number of NICU beds on the hospital license shall:

- (1) provide projected utilization of all existing, approved, and proposed NICU beds on the hospital license during each of the first three full fiscal years of operation following completion of the project;
- (2) document that the occupancy rate for all existing, approved, and proposed NICU beds on the hospital license shall be at least 65 percent during the third full fiscal year of operation following completion of the project; and
- (3) provide the assumptions and methodology used for the projected utilization and occupancy rate required by Subparagraphs (1) and (2) of this Paragraph.

*History Note: Authority G.S. 131E-177(1); 131E-183(b);  
Temporary Adoption Eff. September 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;  
Eff. January 4, 1994;  
Temporary Amendment Eff. March 15, 2002;  
Amended Eff. April 1, 2003;  
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Amended Eff. November 1, 2009;  
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Temporary Amendment Eff. January 27, 2023;  
Readopted Eff. January 1, 2024.*