



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt
Division Director

June 10, 2013

J. Michael Dyson
1939 Prestwick Lane
Wilmington, NC 28405

Exempt from Review-Acquisition of Facility

Facility: Toney Rest Home, Inc.
Acquisition by: H81, LLC
Project Description: Purchase land, equipment and business interests of Toney Rest Home, Inc.
County: Granville
FID #: 920336

Dear Mr. Dyson:

The Certificate of Need Section (CON Section) received your letter of June 7, 2013, regarding the above referenced proposal. Based on the CON law in effect on the date of this correspondence to your request, the proposal described in your correspondence is not governed by, and therefore, does not currently require a certificate of need. However, please note that if the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

It should be noted that this determination is binding only for the facts represented by you. Consequently, if changes are made in the project or in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by the Certificate of Need Section. Changes in a project include, but are not limited to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed. Please contact the Adult Care Licensure Section of the Division of Health Service Regulation to obtain instructions for changing ownership of the existing facility.

It should be noted that this Agency's position is based solely on the facts represented by you and that any change in facts as represented would require further consideration by this Agency and a separate determination. If you have any questions concerning this matter, please feel free to contact this office.



Certificate of Need Section

www.ncdhhs.gov

Telephone: 919-855-3873 • Fax: 919-733-8139


Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603


Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

An Equal Opportunity/ Affirmative Action Employer



Sincerely,


Gene DePorter Project Analyst
Certificate of Need Section


Craig R. Smith, Chief
Certificate of Need Section

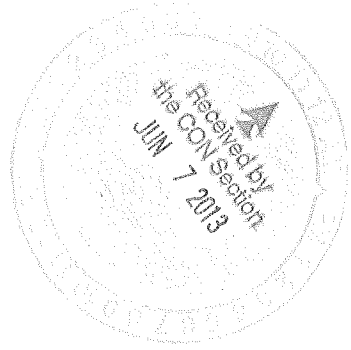
cc: Acute and Home Care Licensure and Certification Section, DHSR

Dyson

H81, LLC

June 4, 2013

H81, LLC
1939 Prestwick Lane
Wilmington, NC 28405



Mr. Gene DePorter, Project Analyst
North Carolina Department of Health and Human Services
Certificate of Need Division
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: Request for no review or an exempt from review status

Dear Mr. Porter,

H81, LLC, a North Carolina Limited Liability Company, is intent on purchasing the land, equipment and business interest of Toney Rest Home, Inc. located at 904 Raleigh Street; Oxford, Granville County, North Carolina. The purchase is set to occur on or about June 15, 2013.

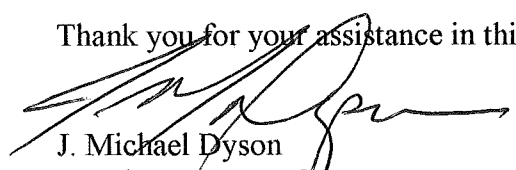
H81, LLC has applied for licensure through the Department of Health and Human Services and request an exemption from review from the Certificate of Need Section.

H81, LLC makes this request based on the following:

1. H81, LLC is purchasing the land and equipment of the 60 bed facility as is with no additions to the size function or current level of care;
2. H81, LLC brings over 30 years of experience in adult care home administration along with industry leadership in hospitality and customer care;
3. The initial administrator has over 40 years of direct administrative experience, extended experience on national accreditation boards for long-term care administrators and testing, a leader in senior advocacy, and a member of the Governor's Advocacy Task Force.

For information, I included our Executive Summary outlining our company's composition and program plan. If you need any additional information, please contact me at 704 650-4635. Any written correspondences should be forwarded to **Mike Dyson, 4610 Fairvista Drive, Charlotte, NC 28269**

Thank you for your assistance in this matter,


J. Michael Dyson
Member, H81, LLC

PROGRAM PLAN EXECUTIVE SUMMARY

H81, LLC, a North Carolina limited liability corporation, exists to develop and operate assisted living facilities. H81, LLC realizes the tremendous need for this service and plans to partner with various federal and state agencies and programs to assure the highest level of opportunities for the residents served. H81, LLC understands and accepts the responsibilities associated with this commitment of service. The Partners of H81, LLC are committed to long-term quality services to persons across North Carolina and especially in Granville County and surrounding areas.

The partners of H81 bring a wide range of experience and professional background and the expertise needed to develop and operate this holding corporation. H81, LLC continues to recruit or contract individuals with specific talents or experience in needed in specific professional fields to make it successful.

The resident population H81, LLC is seeking to initially serve are residents 65 years of age or older. This segment of the population accounts for over 98% of the current assisted level population within the State.¹ While understanding the enormous financial strain the State has to supply this needed services, H81, LLC feels that all individuals have the right to choose a supportive environment that meets their needs and the needs of their families. By establishing H81, LLC, the partners commit to the development of quality residential placement for persons needing assistance in their daily lives.

H81, LLC's intent is to ensure that no individual meeting the homes admission criteria is denied admission to the facility. Receiving State funding is not a pre-requisite for admission; however, H81, LLC does require that appropriate financial support is available to meet the residents' needs and assures a successful placement.

I. History

The partners of H81, LLC were brought together to merge successful hospitality experiences and healthcare experiences into model of quality residential care that can be applied to community residential facilities across the region. A model developed that fuses hospitality with healthcare producing a life experience different from that of traditional assisted living homes. Knowing that success and growth are directly related to customer satisfaction, H81, LLC has made a commitment to make a difference in the industry and the life of the individuals served.

Administration with a concentration in Marketing. Following graduation, he attended the University of Strathclyde in Glasgow, Scotland where he obtained a Post-Graduate diploma in Marketing. Following graduation, Bowen was owner/operator of a fine dining restaurant in Burlington for 15 years; during which time he was involved in a family owned real estate rental and development business. He is still involved in the real estate business today; although in a reduced capacity.

J. Michael Dyson:

Mike Dyson brings over 25 years experience developing and operating residential facilities and adult care homes. Throughout his career Mike has directly or indirectly assisted in the development of over 50 residential facilities in North and South Carolina, Georgia, and Florida. Along with his experience and expertise, Mike also holds a Masters Degree in Business Administration and a Masters Degree in Healthcare Administration from Pfeifer University and a South Carolina Long-term Care Administrators. As an active member of his community, Mike has served in the following roles:

Past President, Charlotte Southern Lions Club

Past President, Metrolina Association for the Blind Board of Trustees

Member of the United Methodist National Task Force on Disabilities

Trustee for the Southeastern United Methodist Agency for Rehabilitation

Trustee for the Western North Carolina Deaf Ministry

Trustee for the North Carolina Lion Foundation

VI. Proposed Residents

H81, LLC target population are adults who can benefit from an adult care home that provides room and board and 24-hour supervision and services for people needing assistance with activities of daily living and some health care needs due to normal aging, a chronic illness, a cognitive disorder, or a disability. These residents require assistance bridging the gap between independent living and nursing facility care that provides medical and nursing care in addition to help with active daily living skills. Our facilities are not a substitute for the nursing facility, but rather another level of care appropriate for those who cannot live by themselves and need assistance with bathing, dressing, ambulation, eating, toileting, and/or medication administration.