



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

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Division Director

June 10, 2013

Charles E. Trefzger, Jr.
WP-Greensboro Health Holdings, LLC
PO Box 2568
Hickory, NC 28603-2568

Exempt from Review – Acquisition of Facility

Facility: Greensboro Living Center
Acquisition by: NC4 Greensboro, LLC
County: Guilford
FID #: 920871

Dear Mr. Trefzger:

In response to your letter of May 31, 2013, the above referenced proposal is exempt from certificate of need review in accordance with N.C.G.S 131E-184(a)(8). Therefore, NC4 Greensboro, LLC may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Adult Care Licensure Section of the Division of Health Service Regulation to obtain instructions for changing ownership of the existing facility. Note that pursuant to N.C.G.S. §131E-181(b): *“A recipient of a certificate of need, or any person who may subsequently acquire, in any manner whatsoever permitted by law, the service for which that certificate of need was issued, is required to materially comply with the representations made in its application for that certificate of need.”*

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.

Sincerely,

Celia C. Inman
Project Analyst

Craig R. Smith, Chief
Certificate of Need Section

cc: Adult Care Licensure Section, DHSR



Certificate of Need Section

www.ncdhhs.gov

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

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

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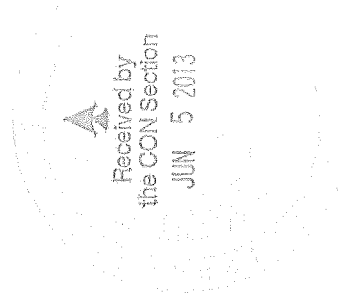
WP-Greensboro Health Holdings, LLC

*Post Office Box 2568
Hickory, North Carolina 28603-2568*

Celia

May 31, 2013

Mr. Craig Smith, Chief
Certificate of Need Section
Division of Health Service Regulation
Department of Health and Human Services
Dorothea Dix Hospital Campus
809 Ruggles Drive
Raleigh, NC 27603



Re: Exemption Notice for Greensboro Living Center (Adult Care Home in Guilford County)

Dear Mr. Smith:

NC4 Greensboro, LLC (“NC4 Greensboro”) is planning to acquire an adult care home in Guilford County, currently known as Greensboro Living Center (hereafter “the Facility”). The Facility is located at 3004 Dexter Avenue in Greensboro, North Carolina. The Facility is listed in the “Inventory of Adult Care Home Beds” in the 2013 State Medical Facilities Plan as having 114 adult care home beds (see Exhibit A).

NC4 Greensboro is seeking to purchase the Facility through a purchase and sale agreement. The purpose of this letter is to provide prior notice of this acquisition, which is exempt from Certificate of Need (“CON”) review, to the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section (the “Agency”). NC4 Greensboro seeks confirmation that it is permitted to acquire the Facility as described herein without CON Review, thus acquiring the Facility’s existing CON rights to own that existing health service facility (as defined in the CON statute) with 114 adult care beds.

I. THE PROPOSAL

As of this date, Greensboro Holdings, LLC owns the property and building comprising the Facility, which is an existing “health service facility,” as that term is defined in N.C. Gen. Stat. § 131E-176(9)(b), and Greensboro Health Holdings, LLC is the Licensee. NC4 Greensboro will purchase the Facility, and the Licensee will be WP-Greensboro Health Holdings, LLC. The Facility will still be known as Greensboro Living Center.

II. EXEMPTION NOTICE

Mr. Craig Smith, Chief
Certificate of Need Section
May 31, 2013
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Under North Carolina law, a Certificate of Need ("CON") is required only prior to offering or developing a "new institutional health service." "New institutional health service" includes a variety of services and activities, including a capital expenditure exceeding \$2 million. N.C. Gen. Stat. § 131E-176(16)(b).

The North Carolina General Assembly saw fit to exempt certain types of services or proposals from CON review, pursuant to N.C. Gen. Stat. § 131E-184. One such exempt service or proposal includes the acquisition of an existing health service facility, "including equipment owned by the health service facility at the time of acquisition." N.C. Gen. Stat. § 131E-184(a)(8).

This project involves only the acquisition of an existing adult care home, which falls within the purview of the statutory definition of "health service facility." After acquisition, the Licensee, WP-Greensboro Health Holdings, LLC, will operate the Facility as an adult care home. Furthermore, NC4 Greensboro's acquisition of the Facility does not entail the purchase of any major medical equipment or any *per se* reviewable equipment as defined in N.C. Gen. Stat. §§ 131E-176(14)(o) and (16)(f1). Likewise, the acquisition does not include the offering of any *per se* reviewable services. N.C. Gen. Stat. § 131E-176(16)(f). Thus, given that the transaction involves only the acquisition of an existing health services facility, it is exempt from CON review.

III. CONCLUSION

Based on the foregoing information, we hereby request the Agency's confirmation that the proposal described above is exempt from CON review, pursuant to N.C. Gen. Stat. § 131E-184(a)(8), and thus NC4 Greensboro may acquire the Facility with all its existing CON rights without a CON.

In addition, we respectfully request that this request be considered on an **expedited basis** because the parties wish to proceed with this transaction as soon as possible. If you require additional information to consider this request, please contact us at (828) 261-7312 as soon as possible. We thank you for your consideration of this request.

Sincerely,



Charles E. Trefzger, Jr.
Manager

Enclosure

Table 11A: Inventory of Adult Care Homes (Assisted Living) Beds

County	Facility Name	Licensed Beds in Nursing Homes	Licensed Beds in Hospitals	Licensed Beds in Adult Care Facilities	Total Licensed Beds	CON Approved/License Pending				Available in SMFP	Total Available	Sum of Exclusions	Total Planning Inventory
						CON	ACH Exempt	ACH Pipeline	CON Bed Transfer				
Guilford	Abbotswood at Irving Park Assisted Living	28	0	0	28	0	0	0	0	0	28	0	28
Guilford	Adams Farm Living & Rehabilitation	20	0	0	20	0	0	0	0	0	20	0	20
Guilford	Arbor Care Assisted Living	92	0	0	92	0	0	0	0	0	92	0	92
Guilford	Bell House	22	0	0	22	18	0	0	0	0	40	0	40
Guilford	Blumenthal Jewish Nursing & Rehab Center	20	0	0	20	0	0	0	0	0	20	0	20
Guilford	Brighton Gardens of Greensboro	125	0	0	125	0	0	0	0	0	125	0	125
Guilford	Carriage House Senior Living Community	108	0	0	108	0	0	0	0	0	108	0	108
Guilford	Clapp's Assisted Living	30	0	0	30	0	0	0	0	0	30	0	30
Guilford	Clare Bridge at High Point Place	65	0	0	65	0	0	0	0	0	65	0	65
Guilford	Countryside Manor	16	0	0	16	0	0	0	0	0	16	0	16
Guilford	Elm Villa	44	0	0	44	0	0	0	0	0	44	0	44
Guilford	Emeritus at Greensboro	70	0	0	70	0	0	0	0	0	70	0	70
Guilford	Friends Home at Guilford	60	0	0	60	0	0	0	0	0	60	0	60
Guilford	Friends Home West	40	0	0	40	0	0	0	0	0	40	0	40
Guilford	Greensboro Living Center	114	0	0	114	0	0	0	0	0	114	0	114
Guilford	Greensboro Manor	81	0	0	81	0	0	0	0	0	81	0	81
Guilford	Greensboro Place on Lawndale	118	0	0	118	0	0	0	0	0	118	0	118
Guilford	Greensboro Retirement Center	64	0	0	64	0	0	0	0	0	64	0	64
Guilford	Heartland Living and Rehab @ Mosses Cone Hospital	37	0	0	37	0	0	0	0	0	37	0	37
Guilford	High Point Manor on Hartley	82	0	0	82	0	0	0	0	0	82	0	82
Guilford	High Point Place	102	0	0	102	0	0	0	0	0	102	0	102
Guilford	Landmark Estates (Southland Homes) - Oakview Assisted Living (bed transfer to Davidson County - Landmark Replacement Facility)	0	0	0	0	10	0	0	0	-10	0	0	0
Guilford	Lawson's Adult Enrichment Center	18	0	0	18	0	0	0	0	0	18	0	18
Guilford	Long's Rest Home for Aged	12	0	0	12	0	0	0	0	0	12	0	12
Guilford	Maple Grove Health and Rehabilitation Center	40	0	0	40	0	0	0	0	0	40	0	40
Guilford	Maryfield Nursing Home	36	0	0	36	0	0	0	0	0	36	13	23
Guilford	Morningsview at Irving Park	105	0	0	105	0	0	0	0	0	105	0	105
Guilford	Oak Hill Rest Home - Replacement	60	0	0	60	0	0	0	60	0	60	0	60
Guilford	Oak Hill Rest Home (closed)	93	0	0	93	0	0	0	-60	0	0	0	0
Guilford	Piedmont Christian Home	56	0	0	56	0	0	0	0	0	93	0	93
Guilford	River Landing at Sandy Ridge	29	0	0	29	0	0	0	0	0	56	0	56
Guilford	Serenity Care Rest Home	79	0	0	79	0	0	0	0	0	29	0	29
Guilford	Sweet Club Manor	100	0	0	100	0	0	0	0	0	79	0	79
Guilford	Spring Arbor of Greensboro	60	0	0	60	0	0	0	0	0	100	0	100
Guilford	St. Gates Estates	48	0	0	48	0	0	0	0	0	60	0	60
Guilford	The Arboretum at Heritage Greens	10	0	0	10	0	0	0	0	0	48	0	48
Guilford	The Presbyterian Home of High Point	45	0	0	45	0	0	0	0	0	10	0	10
Guilford	Verra Springs at Heritage Greens	72	0	0	72	0	0	0	0	0	45	0	45
Guilford	Well-Spring	69	0	0	69	0	0	0	0	0	72	0	72
Guilford	Westchester Harbor/Wesleyan Arms Retirement Community	0	0	69	69	0	0	0	0	-69	0	0	0
Guilford	Westchester Harbor/Wesleyan Arms Retirement Community - Replacement (+ CON approved beds)	0	0	0	0	21	0	0	0	69	0	0	90
Guilford	WhiteStone: A Masonic and Eastern Star Community	12	0	0	12	0	0	0	0	0	12	0	12
Guilford	Woodland Place - Greensboro	96	0	0	96	0	0	0	0	0	96	0	96
Guilford	Guilford Totals	419	0	1969	2389	39	0	0	-10	0	2417	13	2404
Halifax	Carolina Rest Home	40	0	0	40	0	0	0	0	0	40	0	40
Halifax	Liberty Commons Nursing & Rehab Center	25	0	0	25	0	0	0	0	0	25	0	25
Halifax	Our Community Hospital	0	20	0	20	0	0	0	0	0	20	0	20
Halifax	Woodhaven Rest Home #1	60	0	0	60	0	0	0	0	-60	0	0	0