



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

July 21, 2015

Ted W. Goins, Jr.  
Lutheran Services  
P.O. Box 947  
Salisbury, NC 28145-0947

**Corrected - Exempt from Review – Acquisition of Facility**

**Record #:** 1653  
**Facility Name:** Trinity Elms  
**Type of Facility:** NF  
**FID #:** 080753  
**Acquisition by:** Lutheran Home Forsyth County Property, Inc.  
**Business #:** 1154  
**County:** Forsyth

Dear Mr. Goins:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of July 6, 2015 and email dated July 17, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8). Therefore, Lutheran Home Forsyth County Property, Inc. may proceed to acquire the above referenced health service facility from Lutheran Home Winston-Salem Property, Inc. (Lessor) without first obtaining a certificate of need. However, you need to contact the Agency's Nursing Home Licensure and Certification Section to obtain instructions for changing ownership of the existing facility. Note that pursuant to 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



**Healthcare Planning and Certificate of Need Section**

[www.ncdhhs.gov](http://www.ncdhhs.gov)

Telephone: 919-855-3873 • Fax: 919-715-4413

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

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

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Mr. Goins  
July 13, 2015

separate determination. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,



Celia C. Inman  
Project Analyst



Martha J. Frisone,  
Assistant Chief, Certificate of Need

cc: Construction Section, DHSR  
Nursing Home Licensure and Certification Section, DHSR  
Assistant Chief, Healthcare Planning

## Inman, Celia C

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**From:** Kesha Smith <KSmith@lscarolinas.net>  
**Sent:** Friday, July 17, 2015 12:11 PM  
**To:** Inman, Celia C  
**Subject:** Exemption from Review request  
**Attachments:** 201507071030.pdf

Celia,  
Good talking to you this morning! It's been a long time!

I appreciate your quick response to my attached letter requesting an "Exemption from Review". Unfortunately, I erroneously listed the wrong corporation. The letter should have read as follows:

*In 2008, Lutheran Home-Forsyth County, Inc. (the licensed operator and lessee of the building) and Lutheran Home Winston-Salem Property, Inc.(the owner of the building and lessor) received a Certificate of Need to relocate beds and develop a 100-bed nursing facility in, Clemmons, Forsyth County. That project is open, licensed and serving residents. Its license number is NH0641.*

*Lutheran Home Winston-Salem Property, Inc. now wishes to transfer building and its assets related to the Clemmons facility to Lutheran Home Forsyth County Property, Inc., which will continue as the new lessor. The licensed operator will remain the same and continue as the lessee. This will simplify management, budgeting and operations. Please accept this letter as prior written notice of intent for Lutheran Home Forsyth County Property, Inc. to acquire all assets of the 100 bed nursing facility at Fair Oaks Drive, Clemmons, North Carolina 27012, from Lutheran Home Winston-Salem Property, Inc.*

Thanks so much for your assistance, and I apologize for my confusion! Please contact me if you need additional information.

**Kesha L. Smith**  
Lutheran Services Carolinas  
Chief Operating Officer  
[ksmith@LSCarolinas.net](mailto:ksmith@LSCarolinas.net)  
[www.LSCarolinas.net](http://www.LSCarolinas.net)  
Phone: 704-754-8222  
Fax: 704-637-2950

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P.O. Box 947  
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**Exempt from Review – Acquisition of Facility**

**Record #:** 1653  
**Facility Name:** Trinity Elms  
**Type of Facility:** NF  
**FID #:** 080753  
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**Business #:** 1154  
**County:** Forsyth

Dear Mr. Goins:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of July 6, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8). Therefore, Lutheran Home-Forsyth County, Inc. may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Agency's Nursing Home Licensure and Certification Section to obtain instructions for changing ownership of the existing facility. Note that pursuant to 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



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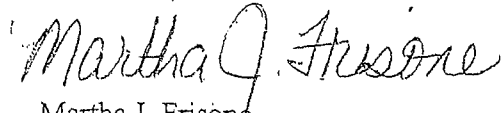
Mr. Goins  
July 13, 2015

separate determination. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,



Celia C. Inman  
Project Analyst

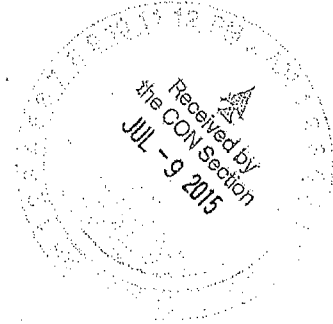


Martha J. Frisone,  
Assistant Chief, Certificate of Need

cc: Construction Section, DHSR  
Nursing Home Licensure and Certification Section, DHSR  
Assistant Chief, Healthcare Planning

  
LUTHERAN  
SERVICES  
CAROLINAS

July 6, 2015



Ms. Martha Frisone  
Chief, Certificate of Need Section  
Health Planning and Certificate of Need Section  
Division of Health Service Regulation  
801 Ruggles Drive  
2714 Mail Service Center  
Raleigh, NC 27603

RE: Request for Exemption from CON Review for Change of Property Ownership, Trinity Elms, Project #G-8232-08, Clemmons, Forsyth County

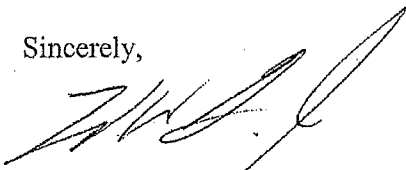
Dear Ms. Frisone:

In 2008, Lutheran Home-Forsyth County, Inc. and Lutheran Home Winston-Salem Property, Inc. received a Certificate of Need to relocate beds and develop a 100-bed nursing facility in, Clemmons, Forsyth County. That project is open, licensed and serving residents. Its license number is NH0641.

The owners now wish to transfer all assets to the entity identified as the Lessee, Lutheran Home-Forsyth County, Inc. This will simplify management, budgeting and operations. Please accept this letter as prior written notice of intent for Lutheran Home-Forsyth County, Inc. to acquire all assets of the 100 bed nursing facility at Fair Oaks Drive, Clemmons, North Carolina 27012, from Lutheran Home Winston-Salem Property, Inc.

With prior written notice, this acquisition is exempt from Certificate of Need Review under GS 131E-184(a)(8). On behalf of the owners, I appreciate your earliest confirmation of this exemption.

Sincerely,



Ted W. Goins, Jr.  
President and CEO

CC: Ms. Celia Inman, CON Analyst