



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

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Mark Payne
Assistant Secretary for Audit and
Health Service Regulation

June 13, 2016

Aaron Rokach
4711 Golf Road, Suite 200
Skokie, IL 60076

Exempt from Review – Acquisition of Facility

Record #: 1959
Facility Name: Maggie Valley Nursing & Rehabilitation
Type of Facility: Nursing Home
FID #: 090210
Acquisition by: Maximus Healthcare Group, LLC
Business #: 2333
County: Haywood

Dear Mr. Rokach:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of May 11, 2016, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Maximus Healthcare Group, LLC 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 separate determination.



Healthcare Planning and Certificate of Need Section

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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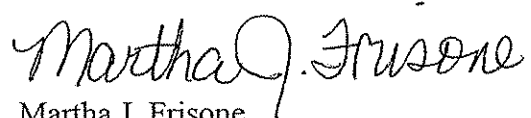
Aaron Rokach
June 13, 2016
Page 2

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

Sincerely,



Julie Halatek
Project Analyst



Martha J. Frisone,
Assistant Chief, Certificate of Need

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

GUTNICKI LLP



May 11, 2015

Ms. Martha Frisone, Assistant Chief
Certificate of Need
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
2704 Mail Center
Raleigh, NC 27699-2704

Re: **December 18, 2015**
Exemption from Review determination
Record #1812; FID #090210

Dear Ms. Frisone:

On December 18, 2015 your office issued a determination of "Exempt from Review – Acquisition of Facility" for Maggie Valley Nursing & Rehab based on the information provided in a letter from our offices dated December 8, 2015. Both our December 8th letter and your December 15th response are attached hereto for reference.

The transaction will deviate very slightly from what was reported in our December 8th letter as it relates to the Maggie Valley real estate. However the reason for exemption should not have changed. This letter is merely to ensure that we have provided accurate information and to get confirmation that nothing more is required prior to consummation of our transaction.

The real property upon which the facility known as Maggie Valley Nursing & Rehab is situated, will not be purchased directly by Maximus Healthcare Group, LLC or its assignee but rather will first be purchased by MVRE, LLC, an affiliate of the current operator of the facility; the membership interests of MVRE, LLC will then be purchased 100% by an assignee of Maximus Healthcare Group, LLC.

Thank you in advance for your prompt attention to this matter. Please issue a follow up letter indicating that your determination has not changed. Our transaction is expected to close on June 1, 2016 so an e-mailed copy of the letter to my paralegal Susan at sprizant@gutnicki.com would be appreciated so that we may submit the same to the licensure division. Our apologies for the short notice but this is something that just came up. Should you have any questions, do not hesitate to contact me at 847-933-9280 ext. 107.

Sincerely,

Aaron Rokach