



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

May 17, 2016

Renee J. Montgomery, Partner
Parker Poe
PO Box 389
Raleigh, NC 27602-0389

Exempt from Review – Acquisition of Facility

Record #: 1942
Facility Name: Carver Living Center
Type of Facility: Nursing Home
FID #: 923077
Acquisition by: Carver Healthcare, LLC
Business #: 2396
County: Durham

Dear Ms. Montgomery:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of May 12, 2016, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Carver Healthcare, 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. If you have any questions concerning this matter, please feel free to contact this office.



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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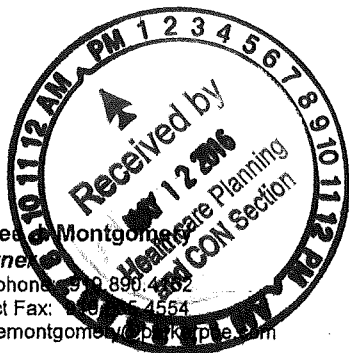
Renee J. Montgomery
May 17, 2016
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Sincerely,

Jane Rhoad-Jones for
Bernetta Thorne-Williams
Project Analyst

Martha J. Frisone
Martha J. Frisone,
Assistant Chief, Certificate of Need

cc: Nursing Home Licensure and Certification Section, DHSR
Kelli Fisk, Program Assistant, Healthcare Planning, DHSR



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Atlanta, GA
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 Columbia, SC
 Greenville, SC
 Raleigh, NC
 Spartanburg, SC

May 12, 2016

Via E-Mail and U.S. Mail

Ms. Martha Frisone
 Assistant Chief, Certificate of Need
 Healthcare Planning and Certificate of Need Section
 Division of Health Service Regulation
 North Carolina Department of Health and Human Services
 2704 Mail Service Center
 Raleigh, North Carolina 27699

Re: *Carver Living Center*

Dear Ms. Frisone:

We represent Carver Healthcare LLC which is acquiring certain assets and operational rights, including the Certificate of Need rights, of a skilled nursing facility known as Carver Living Center located in Durham, North Carolina. Carver Living Center is a 252 bed facility with 232 beds licensed as skilled nursing and 20 beds licensed as adult care home. The bricks and mortar of the facility have been and will continue to be owned by Durham, LLC. Carver Healthcare LLC will enter into a long term lease of the facility with Durham, LLC.

Upon the closing of the transaction which is expected to be on or around June 1, 2016, Carver Healthcare LLC will become the licensee of the facility. Please confirm that the acquisition described above by Carver Healthcare LLC is exempt from Certificate of Need review under N.C. Gen. Stat. § 131E-184(a)(8).

Thank you for your attention to this matter. Please let me know if you have any questions.

Sincerely,

Renee J. Montgomery

RJM:klb

cc: Jacob Stern, Manager
 Carver Healthcare LLC