



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

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Mark Payne, Director
Health Service Regulation

October 13, 2016

Hunter Diefes
2334 S. 41st Street
Wilmington, NC 28403-5502

Exempt from Review – Acquisition of Facility

Record #: 2074
Facility Name: Hydeland Home Care Agency
Type of Facility: Home Health Agency
FID #: 953903
Acquisition by: Liberty Homecare Group, LLC
County: Hyde

Dear Mr. Diefes:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter via electronic mail of October 6, 2016, the above referenced proposal is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8). Therefore, Liberty Homecare 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 Acute and Home Care 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.

Sincerely,


Jane Rhoe-Jones
Project Analyst


Martha J. Frisone
Assistant Chief, Certificate of Need

cc: Acute and Home Care Licensure and Certification Section, DHHS
Paige Bennett, Assistant Chief, Healthcare Planning, DHHS



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

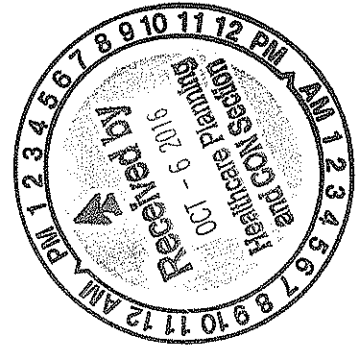
An Equal Opportunity/ Affirmative Action Employer



rhoe-jones, jane e

From: Hunter Diefes <HDiefes@libertyhcare.com>
Sent: Thursday, October 06, 2016 6:31 PM
To: Frisone, Martha; rhoe-jones, jane e
Cc: Evans, Stephanie; Yoel Balter
Subject: Notification of Intent to Acquire a Home Health Agency

Follow Up Flag: Follow up
Due By: Monday, October 10, 2016 9:00 AM
Flag Status: Flagged



Dear Ms. Frisone and Ms. Rhoe-Jones,

Please let this serve as the official written notice of the intent of Liberty Homecare Group, LLC (the "Buyer") to acquire Hydeland Home Care Agency, a Medicare-certified home health agency operating in Hyde County, from the County of Hyde (the "Seller"). The details of the license and ownership are as follows:

- Licensee: The County of Hyde
- License Number: HC0379

It is the intention of the Buyer and Seller to enter into an Asset Purchase Agreement to acquire the license, Certificate of Need, and all related property and equipment associated with the agency and to operate the agency from an affiliated nursing facility, Cross Creek Health Care. We respectfully request a letter from the Certificate of Need Section stating that this proposal is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8).

Please let me know if you need any additional information or have any questions. Thank you.

Hunter Diefes, Director of Financial Planning
Liberty Healthcare Management, Inc.
2334 S. 41st Street
Wilmington, NC
Direct: (910) 512-0155
HDiefes@libertyhcare.com