



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

MARK PAYNE  
DIRECTOR

January 26, 2017

Joy Heath  
301 Fayetteville Street, Suite 1700  
Raleigh, NC 27601

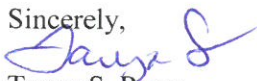
**Exempt from Review – Acquisition of Facility**

**Record #:** 2143  
**Facility Name:** The Village on Campbell  
**Type of Facility:** Adult care home  
**FID #:** 953278  
**Acquisition by:** The Laurels of Pender Real Estate, LLC and The Laurels of Pender, LLC  
**Business #:** 2552  
**County:** Pender

Dear Ms. Heath:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of December 21, 2016, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, The Laurels of Pender Real Estate, LLC and The Laurels of Pender, 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 Adult and Home Care Licensure and Certification Section to obtain instructions for changing ownership of the existing facility. Note that pursuant to N.C. Gen. Stat. §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,  
  
Tanya S. Rupp  
Project Analyst

  
Martha J. Frisone  
Assistant Chief, Certificate of Need

cc: Adult Care Licensure Section, DHR  
Paige Bennett, Assistant Chief, Healthcare Planning, DHR

**HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION**  
WWW.NCDHHS.GOV  
TELEPHONE: 919-855-3873  
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



# WILLIAMS MULLEN

Direct Dial: 919.981.40001  
jheath@williamsmullen.com



## Via Hand-Delivery

TO: Martha J. Frisone, Assistant Chief

FROM: Joy Heath

RE: Prior Written Notice  
Proposed Acquisition of The Village on Campbell  
311 South Campbell Street  
Burgaw, NC 28425  
Lic No: NH0461 Provider: 345298 (SNF # 98)(ACH # 23)  
County: Pender

FID 953278  
Bus id 2552  
NR id 2143

DATE: December 21, 2016

Our law firm represents The Laurels of Pender Real Estate, LLC and The Laurels of Pender, LLC (collectively "Purchaser") and, pursuant to N.C. Gen. Stat. § 131E-184(a)(8), we write to provide prior written notice of our client's plans, as described below.

As you know, The Village on Campbell is an existing facility with 98 skilled nursing beds and 23 adult care home beds in Burgaw in Pender County, North Carolina.

In February 2017, Purchaser intends to enter into a transaction to acquire this existing health service facility, including the equipment owned by the health service facility at the time of acquisition.

In connection with these plans, we note that the CON Law provides that acquisition of "an existing health service facility, including equipment owned by the health service facility at the time of acquisition" is exempt from certificate of need review pursuant to N.C. Gen. Stat. § 131E-184(a)(8). A "health service facility" is defined by N.C. Gen. Stat. § 131E-176(9b) to include a nursing home facility and adult care home. Based on this prior written notice, it is our understanding that the plans described above are exempt from certificate of need review pursuant to N.C. Gen. Stat. Section 131E-184(a)(8).

We respectfully request confirmation that, based on the CON Law currently in effect, the proposal described above is not governed by, and, therefore, does not currently require a certificate of need. Please let us know of any questions or additional information that may be required. Thank you for your attention and response to this request.