



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

****VIA EMAIL ONLY****

October 9, 2019

Anderson Shackelford
ashackelford@williamsmullen.com

Exempt from Review – Physician Office

Record #: 3081
Business Name: Novant Health, Inc.
Business #: 1341
Project Description: Develop a medical office building
County: Mecklenburg

Dear Mr. Shackelford:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that based on your letter of October 7, 2019, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(9). Therefore, you may proceed to offer, develop, or establish the above referenced project without a certificate of need.

However, you need to contact the Agency's Construction and the Acute and Home Care Licensure and Certification Sections to determine if they have any requirements for development of the proposed physician office.

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

Sincerely,

Julie M. Faenza
Project Analyst

Martha J. Frisone
Chief

cc: Construction Section, DHSR
Acute and Home Care Licensure and Certification Section, DHSR

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

Faenza, Julie M

From: Faenza, Julie M
Sent: Monday, October 7, 2019 10:01 AM
To: Shackelford, Anderson
Subject: RE: [External] RE: MOB Exemption Request Letter - Mecklenburg County [IWOV-IWOVRIC.FID2098003]

Anderson – thanks, but no need to follow it up with a mailed letter. The emailed copy is just fine. Thanks!

Julie M. Faenza, Esq.

Project Analyst, Certificate of Need
Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section
North Carolina Department of Health and Human Services

919 855 3873 office
Julie.Faenza@dhhs.nc.gov

From: Shackelford, Anderson <ashackelford@williamsmullen.com>
Sent: Monday, October 7, 2019 9:53 AM
To: Frisone, Martha <martha.frisone@dhhs.nc.gov>; Faenza, Julie M <Julie.Faenza@dhhs.nc.gov>
Cc: Heath, Joy <jheath@williamsmullen.com>
Subject: [External] RE: MOB Exemption Request Letter - Mecklenburg County [IWOV-IWOVRIC.FID2098003]

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Dear Ms. Frisone and Ms. Faenza,

On behalf of Novant Health, Inc. and The Presbyterian Hospital, I would like to withdraw the MOB Exemption Request letter submitted on October 4 and substitute it with the attached letter. A copy of the updated letter will follow in the U.S. mail.

Thanks,
Anderson

From: Shackelford, Anderson
Sent: Friday, October 4, 2019 4:56 PM
To: Frisone, Martha <martha.frisone@dhhs.nc.gov>; julie.faenza@dhhs.nc.gov
Cc: Heath, Joy <jheath@williamsmullen.com>
Subject: MOB Exemption Request Letter - Mecklenburg County [IWOV-IWOVRIC.FID2098003]

Dear Ms. Frisone and Ms. Faenza,

Attached, please find an MOB Exemption Request letter on behalf of Novant Health, Inc. and The Presbyterian Hospital. A copy will follow in the U.S. mail.

Thanks,
Anderson

WILLIAMS MULLEN

Direct Dial: 919.981.4312
ashackelford@williamsmullen.com

October 7, 2019



VIA EMAIL AND U.S. MAIL:

Ms. Martha Frisone
Chief, Healthcare Planning and Certificate of Need
Ms. Julie M. Faenza
Project Analyst, Certificate of Need
N.C. Department of Health & Human Services
Division of Health Service Regulation
Healthcare Planning and Certificate of Need Section
809 Ruggles Drive
Raleigh, NC 27603
martha.frisone@dhhs.nc.gov
julie.faenza@dhhs.nc.gov

Re: Exemption Request for a Medical Office Building in Mecklenburg County

Dear Ms. Frisone & Ms. Faenza:

I am writing on behalf of our clients, Novant Health, Inc. and The Presbyterian Hospital ("Novant"), regarding the construction of a medical office building ("MOB") in Charlotte, Mecklenburg County. By this letter, we respectfully request the Agency's written confirmation that construction of the MOB is exempt from CON Review pursuant to N.C. Gen. Stat. § 131E-184(a)(9). Should Novant seek to construct, develop, establish, or offer any new institutional health services as defined in N.C. Gen. Stat. § 131E-176(16)a.-v. in the building that will house the MOB, it will file a CON application to do so and will refrain from undertaking any such efforts absent CON approval.

If you should need additional information, please contact me at the address listed on the masthead. Thank you for your time and attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Anderson M. Shackelford".

Anderson M. Shackelford

cc: Joy Heath (jheath@williamsmullen.com)