



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

December 17, 2019

Timothy Walsh
TWalsh@libertyseniorliving.com

Exempt from Review – Acquisition of Facility and Change in Operator/Licensee of Facility

- Record #: See Attachment A
Facility Name: See Attachment A
Type of Facility: See Attachment A
FID #: See Attachment A
Acquisition by: See Attachment A
Business #: See Attachment A
County: See Attachment A

Dear Mr. Walsh:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your representations, the above referenced proposal is exempt from certificate of need (CON) review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, the referenced businesses on the attached list may proceed to acquire the health service facilities identified in the attached list without first obtaining a CON. This attached list also acknowledges the change in operator for the listed facilities. The Agency’s determination is limited to the question of whether or not the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. 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.”

In the event that the business listed above does acquire the facility, you should contact the Agency’s Nursing Home Licensure and Certification and Adult Care Licensure Sections to obtain instructions for changing ownership of the existing facilities.

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 regarding whether or not a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Celia C. Inman
Celia C. Inman
Project Analyst

Martha J. Frisoni
Martha J. Frisoni
Chief

cc: Nursing Home Licensure and Certification Section, DHSR
Adult Care Licensure 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
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Attachment A

Record #	County	Nursing Facility	Address	FID #	Owner	Bus. ID#	Operator
3155	Brunswick	Liberty Commons Nursing & Rehabilitation Center of Southport LLC	630 Fodale Avenue Southport, NC 28461	923382	Liberty Healthcare Properties of Brunswick County, LLC	1107	Liberty Commons Nursing & Rehabilitation Center of Southport, LLC
3156	Bladen	Elizabethtown Healthcare & Rehabilitation Center	208 Mercer Road Elizabethtown, NC 28337	923150	Liberty Healthcare Properties of Bladen County, LLC	3159	Liberty Commons Nursing and Rehabilitation Center of Bladen County, LLC
3157	Franklin	Louisburg Healthcare & Rehabilitation Center	202 Smoketree Way Louisburg, NC 27549	923313	Liberty Healthcare Properties of Franklin County, LLC	3160	Liberty Commons Nursing and Rehabilitation Center of Franklin County, LLC
3158	Moore	Pinehurst Healthcare & Rehabilitation Center	300 Blake Boulevard Pinehurst, NC 28374	923403	Liberty Healthcare Properties of Moore County, LLC	3161	Liberty Commons Nursing and Rehabilitation Center of Moore County, LLC
3159	Person	Roxboro Healthcare & Rehabilitation Center	901 Ridge Road Roxboro, NC 27573	923437	Liberty Healthcare Properties of Person County, LLC	3162	Liberty Commons Nursing and Rehabilitation Center of Person County, LLC
3160	Yadkin	Yadkin Nursing Care Center	903 West Main Street Yadkinville, NC 27055	923574	Liberty Healthcare Properties of Yadkin County, LLC	3163	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC
	County	Adult Care Facility	Address	FID #	Owner		Operator
3161	Franklin	Louisburg Manor	114 Smoketree Way Louisburg, NC 27549	920691	Liberty Assisted Living Properties of Franklin County, LLC	3164	Liberty Commons Assisted Living of Franklin County, LLC
3162	Yadkin	The Magnolias Over Yadkin	144 North Lee Ave. Yadkinville, NC 27055	O10281	Liberty Healthcare Properties of Yadkin County, LLC	3163	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC



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December 13, 2019

VIA EMAIL ONLY

Celia Inman, Project Analyst
 Mike McKillip, Project Analyst
 Tanya Saporito, Project Analyst
 NC Department of Health and Human Services
 Division of Health Service Regulation
 Healthcare Planning and Certificate of Need Section
 2704 Mail Service Center
 Raleigh, NC 27699-2704

RE: **EXEMPT FROM REVIEW**– Acquisition of nursing home and adult care home facilities by Liberty

To Whom It May Concern:

In accordance with North Carolina G.S. 131E-184(a)(8), this letter is intended to request a determination of exemption from Certificate of Need (“CON”) review by the Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (“Agency”).

Liberty would like to make it known that we are entering into lease agreements of the NF and ACH facilities to operate the buildings. Over the next few years, closing on the acquisitions will take place.

Please see the list below displaying the facility name, address, county, license number, new owner, and new operator. The owner is the new proposed owner of the actual building, and the operator is the proposed operator of the nursing home or adult care home facility.

Nursing Facilities

Facility Name	Address	County	License #	Owner	Operator
Liberty Commons Nursing & Rehabilitation Center of Southport LLC	630 Fodale Avenue, Southport, NC 28461	Brunswick	NH0322	Liberty Healthcare Properties of Brunswick County, LLC	Liberty Commons Nursing & Rehabilitation Center of Southport, LLC
Elizabethtown Healthcare & Rehabilitation Center	208 Mercer Road, Elizabethtown, NC 28337-1449	Bladen	NH0328	Liberty Healthcare Properties of Bladen County, LLC	Liberty Commons Nursing and Rehabilitation Center of Bladen County, LLC
Louisburg	202 Smoketree Way,	Franklin	NH0264	Liberty Healthcare	Liberty Commons

Healthcare & Rehabilitation Center	Louisburg, NC 27549-0629			Properties of Franklin County, LLC	Nursing and Rehabilitation Center of Franklin County, LLC
Pinehurst Healthcare & Rehabilitation Center	300 Blake Boulevard, Pinehurst, NC 28374	Moore	NH0294	Liberty Healthcare Properties of Moore County, LLC	Liberty Commons Nursing and Rehabilitation Center of Moore County, LLC
Roxboro Healthcare & Rehabilitation Center	901 Ridge Road, Roxboro, NC 27573	Person	NH0265	Liberty Healthcare Properties of Person County, LLC	Liberty Commons Nursing and Rehabilitation Center of Person County, LLC
Yadkin Nursing Care Center	903 West Main Street, Yadkinville, NC 27055-0879	Yadkin	NH0224	Liberty Healthcare Properties of Yadkin County, LLC	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC

Adult Care Home Facilities

Facility Name	Address	County	License #	Owner	Operator
Louisburg Manor	114 Smoketree Way, Louisburg, NC 27549	Franklin	HAL-035-003	Liberty Assisted Living Properties of Franklin County, LLC	Liberty Commons Assisted Living of Franklin County, LLC
The Magnolias Over Yadkin	144 North Lee Avenue, Yadkinville, NC 27055	Yadkin	HAL-099-011	Liberty Healthcare Properties of Yadkin County, LLC	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC

The proposed transfer of ownership will not materially affect the State Health Plan Services for nursing homes or adult care homes. Accordingly, we respectfully request an exemption from CON review.

Thank you for your time and attention to this matter. Please contact me if you have any questions.

Best Regards,



Timothy Walsh
 Liberty Healthcare Management, Inc.
TWalsh@LibertyHCare.com
 (910) 332-1982