



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

September 3, 2019

Maureen Demarest Murray  
mmurray@foxrothschild.com

**Exempt from Review – Acquisition of Facility**

**Record #:** 3033  
**Facility Name:** Hospice of Randolph County / The Randolph Hospice House  
**Type of Facility:** Hospice  
**FID #:** 150123 / 110078  
**Acquisition by:** Hospice of the Piedmont, Inc.  
**Business #:** 997  
**County:** Randolph


Dear Ms. Murray:

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 above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. 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 Acute and Home Care Licensure and Certification Section to obtain instructions for changing ownership of the existing facility.

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  
 Project Analyst

  
 Martha J. Frisone  
 Chief

cc: 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

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**Fox Rothschild** LLP  
ATTORNEYS AT LAW

300 N. Greene Street  
Suite 1400  
Greensboro, NC 27401  
Tel (336) 378-5200 Fax (336) 378-5400  
www.foxrothschild.com

MAUREEN DEMAREST MURRAY  
Direct No: 336.378.5258  
Email: MMurray@Foxrothschild.com



August 28, 2019

Martha J. Frisone, Chief  
Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
NC Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704

**Re: Merger of Hospice of the Piedmont and Hospice of Randolph County**

Dear Martha:

We represent Hospice of the Piedmont, a nonprofit corporation organized under the laws of North Carolina (“Hospice-Piedmont”). Hospice of Randolph County, a nonprofit corporation organized under the laws of North Carolina, will be merging into Hospice of the Piedmont effective as of October 1, 2019.

A hospice is considered a health care facility under the Certificate of Need Act. N.C. Gen. Stat. § 131E-176 (9b). Hospice of Randolph County is currently licensed as and included on the list of licensed hospices maintained on the website of the Division of Health Service Regulation. Hospice of Randolph County is licensed as an outpatient hospice and for twelve 12 inpatient and four (4) residence beds.

Pursuant to N.C. Gen. Stat. § 131E-184 (a)(8), Hospice of the Piedmont hereby gives prior written notice of exemption of its expected merger with and acquisition of the existing licensed Hospice of Randolph County. As part of the merger, Hospice of the Piedmont will acquire all the assets of Hospice of Randolph County including its outpatient hospice and twelve

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Fox Rothschild <sup>LLP</sup>  
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Martha J. Frisone, Chief  
August 28, 2019  
Page 2

(12) inpatient and four (4) residence beds. This merger of equals will enable both organizations to better and more effectively serve patients and families across a larger service area.

We would appreciate your prompt written confirmation that this anticipated transaction is exempt under the Certificate of Need Act. Please let us know if you have any questions.

Sincerely,

Maureen Demarest Murray

MDM/pah

## Waller, Martha K

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**From:** Flores, Disraeliza  
**Sent:** Thursday, August 29, 2019 9:22 AM  
**To:** Waller, Martha K  
**Subject:** FW: [External] Notice of Exempt Acquisition by Hospice of the Piedmont  
**Attachments:** 101731532\_1\_Hospice Piedmont Randolph Cty Ltr Frisone Re\_ Merger 082819-C1.PDF

**From:** Frisone, Martha <martha.frisone@dhhs.nc.gov>  
**Sent:** Wednesday, August 28, 2019 7:10 PM  
**To:** Flores, Disraeliza <Disraeliza.Flores@dhhs.nc.gov>  
**Subject:** Fwd: [External] Notice of Exempt Acquisition by Hospice of the Piedmont

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**From:** Murray, Maureen Demarest <[MMurray@foxrothschild.com](mailto:MMurray@foxrothschild.com)>  
**Sent:** Wednesday, August 28, 2019 6:47:45 PM  
**To:** Frisone, Martha <[martha.frisone@dhhs.nc.gov](mailto:martha.frisone@dhhs.nc.gov)>  
**Subject:** [External] Notice of Exempt Acquisition by Hospice of the Piedmont

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Dear Martha,

Please see the attached prior Notice of Exempt Acquisition of Hospice of Randolph County by Hospice of the Piedmont.

Please let us know if you have any questions.

Kind regards, Maureen

**Maureen Demarest Murray**  
Partner  
**Fox Rothschild LLP**  
300 N Greene Street  
Suite 1400  
Greensboro, NC 27401  
(336) 378-5258 - direct  
(336) 378-5400 - fax  
[MMurray@foxrothschild.com](mailto:MMurray@foxrothschild.com)  
[www.foxrothschild.com](http://www.foxrothschild.com)

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