



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

April 25, 2022

Robert Leandro, Partner
Parker Poe
robbleandro@parkerpoe.com

Exempt from Review – Acquisition of Facility

Record #: 3849
Date of Request: March 14, 2022
Facility Name: Strategic Behavioral Health-Garner
Type of Facility: MHH
FID #: 120089
Acquisition by: Summit Behavioral Health
Business #: 3534
County: Wake

Dear Mr. Leandro:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that the project described above is exempt from certificate of need (CON) review in accordance with G.S. 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 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 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.”

If the business listed above does acquire the facility, you should contact the Agency’s Mental Health Licensure 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 a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,
Michael J. McKillip
Project Analyst

Micheala Mitchell
Micheala Mitchell
Chief

cc: Mental Health 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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March 14, 2022

**VIA ELECTRONIC MAIL**

Micheala Mitchell, Section Chief  
Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
Micheala.Mitchell@dhhs.nc.gov

Re: Request for No Review Determination

Dear Ms. Mitchell,

This letter is intended to provide notice to the Certificate of Need Section ("CON") that Summit Behavioral Health is in the process of completing a Change of Ownership ("CHOW") of the Licensed Psychiatric Hospital owned and formerly operated by Strategic Behavioral Health known as Strategic Behavioral Center-Garner, which is located at 3200 Waterfield Road, Garner, North Carolina 27529..

Summit Behavioral Health respectfully requests that the CON Section confirm that the acquisition of this licensed psychiatric hospital is not subject to CON review under N.C. Gen. Stat. § 131E-1848A and issue a written determination so that this CHOW may proceed without review.

I greatly appreciate your attention to this matter. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Rbt A. Leandro'.

Robert A. Leandro