



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 18, 2023

Timothy Walsh
TW@libertyseniorliving.com

No Review

Record #: 4178
Date of Request: April 10, 2023
Facility Name: Foley Center at Chestnut Ridge
FID #: 110348
Business Name: Liberty Commons Nursing and Rehabilitation Center of Watauga County, LLC
Business #: 3008
Project Description: Move 20 adult care home beds from rooms 300-321 and 400-402 to rooms 500-520 and move the nursing facility beds occupying rooms 500-520 to rooms 300-321 and 400-402 without changing the facility's bed capacity
County: Watauga

Dear Mr. Walsh:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the project described above. Based on the CON law in effect on the date of this response to your request, the project as described is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Ena Lightbourne
Project Analyst

Micheala Mitchell
Micheala Mitchell
Chief

cc: Nursing Home 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
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April 10, 2023

*VIA EMAIL ONLY*

Ena Lightbourne, Project Analyst  
Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
North Carolina Department of Health & Human Services  
809 Ruggles Drive  
Raleigh, NC 27603

**Subject: NO REVIEW REQUEST** – The Foley Center at Chestnut Ridge / License # NH0638  
/ relocation of beds within facility; no change in bed count

Dear Ms. Lightbourne:

I am writing to request a letter from the Certificate of Need Section acknowledging that the above referenced proposal is non-reviewable from Certificate of Need review. Currently, The Foley Center at Chestnut Ridge (“Foley Center”) is licensed for 20 adult care home (“ACH”) beds and 92 skilled nursing (“SNF”) beds (License # NH0638).

The Foley Center is requesting relocating twenty (20) ACH beds from rooms 300-321 and 400-402 to rooms 500-520. The SNF beds currently occupying rooms 500-520 will be moved to rooms 300-321 and 400-402. The bed capacity is not changing.

This proposal falls outside of the scope of a requirement for a certificate of need because it does not constitute a new nursing home (new institutional health service) as defined in NC General Statute 131E-176(16). The bed capacity is not changing, and the capital expenditure will not exceed four million dollars (\$4,000,000).

This letter is intended to request a letter from the Certificate of Need Section stating that this proposal is non-reviewable from Certificate of Need review. Thank you in advance for your assistance and please let me know if you have any questions.

Best Regards,

Timothy Walsh  
Director of Business Development  
Liberty Senior Living  
[TWalsh@libertyseniorliving.com](mailto:TWalsh@libertyseniorliving.com)

**From:** [Timothy J. Walsh](#)  
**To:** [Lightbourne, Ena](#)  
**Cc:** [Stancil, Tiffany C](#); [Waller, Martha K](#); [Timothy F Mcentire](#)  
**Subject:** [External] The Foley Center (Watauga County) - Request for No Review  
**Date:** Monday, April 10, 2023 12:06:58 PM  
**Attachments:** [Liberty - No Review Letter to CON Section for The Foley Center 2023-04-10.pdf](#)  
**Importance:** High

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Good afternoon Ena:

Please find attached to this email a letter intended to request a letter from the Certificate of Need Section stating that the attached proposal non-reviewable (No Review).

Please let me know if you have any questions or need additional information. thanks!

Regards,

**Timothy J. Walsh**

Director of Business Development

*Liberty Senior Living*

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[TWalsh@libertyseniorliving.com](mailto:TWalsh@libertyseniorliving.com)

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