



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

May 31, 2023

Timothy J. Walsh

Twalsh@libertyseniorliving.com

Exempt from Review – Acquisition of Facility

Record #: 4215

Date of Request: May 17, 2023

Facility Name: Woodhaven Nursing and Alzheimer's Care Center

Type of Facility: Nursing Facility

FID #: 923461

Acquisition by: Liberty Healthcare Properties of Robeson County, LLC

Business #: 3717

County: Robeson

Dear Mr. Walsh:

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 Nursing Home 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 a certificate of need would be required.

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

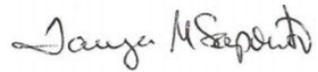
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704

<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,



Tanya M. Saporito
Project Analyst



Micheala Mitchell
Chief

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

Liberty Healthcare

2334 S. 41st Street • Wilmington, NC 28403
(910) 815-3122 • FAX: (910) 815-3111

May 17, 2023

VIA EMAIL ONLY

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 by Liberty

Dear Ms. Saporito:

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”).

It is the intent of Liberty Commons of Robeson County, LLC (“Liberty Commons”) to enter into a lease agreement with Southeastern Regional Medical Center to operate the nursing home known as WoodHaven Nursing Center (“WoodHaven”). WoodHaven is a 115-bed nursing home which includes a 15-bed unit dedicated exclusively to the care of those suffering from Alzheimer’s disease and related disorders. The lease is expected to start by October 1st, 2023.

By December 31, 2023, Liberty Healthcare Properties of Robeson County, LLC (the “Buyer”) will acquire the real property constituting the existing health service facility known as WoodHaven Nursing Center from Southeastern Regional Medical Center (the “Seller”). The nursing home is currently a part of a hospital license. The details of the current hospital license are as follows:

- Licensee: Southeastern Regional Medical Center
- License Number: H0064

After the acquisition, Liberty Commons of Robeson County, LLC will operate the nursing home pursuant to a lease with Liberty Healthcare Properties of Robeson County, LLC. Accordingly, we respectfully request an exemption from CON review.

Thank you in advance for your assistance and please let me know if you have any questions.

Best Regards,

A handwritten signature in black ink that reads "Timothy Walsh". The signature is written in a cursive style with a large, stylized initial 'T'.

Timothy Walsh
Director of Business Development
Liberty Senior Living
TWalsh@libertyseniorliving.com
(910) 332-1982

From: [Waller, Martha K](#)
To: [Stancil, Tiffany C](#)
Cc: [Tanya, Saporito](#)
Subject: FW: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)
Date: Wednesday, May 17, 2023 4:27:34 PM
Attachments: [Liberty - CON Exemption Letter WoodHaven Lease & Acquisition.pdf](#)
Importance: High

For you...

Martha Waller

Administrative Specialist 1

Division of Health Service Regulation, Certificate of Need Section North Carolina Department of Health and Human Services

Main: 919-855-3873

Office: 919-855-3885

martha.waller@dhhs.nc.gov

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From: Timothy J. Walsh <TWalsh@libertyseniorliving.com>

Sent: Wednesday, May 17, 2023 4:26 PM

To: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Cc: Waller, Martha K <martha.waller@dhhs.nc.gov>

Subject: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)

Importance: High

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good afternoon Tanya:

I hope you are having a wonderful week.

Please let the attachment serve as the official written notice of the proposed lease & acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center). We respectfully request a letter from the Certificate of Need Section stating that this lease & acquisition is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8).

Thank you in advance for your assistance and please let me know if you have any questions.

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

Office: 910-332-1982

Mobile: 910-512-9191

TWalsh@libertyseniorliving.com

2334 S. 41st Street, Wilmington, NC 28403

Visit our website at www.LibertySeniorLiving.com



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From: [Timothy J. Walsh](#)
To: [Tanya, Saporito](#)
Subject: RE: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)
Date: Monday, May 22, 2023 1:17:00 PM

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Hey Tanya:

That is just the current projected closing – that may change. Just an FYI
Nonetheless, though: Upon closing, the nursing home will no longer be licensed as part of Southeastern Regional Medical Center. It will be a separately licenses stand-alone SNF.

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

TWalsh@libertyseniorliving.com

From: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Sent: Monday, May 22, 2023 1:12 PM

To: Timothy J. Walsh <TWalsh@libertyseniorliving.com>

Subject: RE: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)

Tim,

I do have one more question – after December 31, 2023, when the operator of Woodhaven Nursing Center changes, will it still be licensed as part of Southeastern Regional Medical Center, or will it be separately licensed?

Thank you in advance!

Tanya M. Saporito, J.D. *I work from home and in the office. Email is the best way to contact me.*

Project Analyst

[Division of Health Service Regulation](#), Certificate of Need

[NC Department of Health and Human Services](#)

Office: 919-855-3873

Tanya.saporito@dhhs.nc.gov

809 Ruggles Drive, Edgerton Building

2704 Mail Service Center

Raleigh, NC 27699-2704

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From: Timothy J. Walsh <TWalsh@libertyseniorliving.com>

Sent: Monday, May 22, 2023 11:42 AM

To: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Subject: Re: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)

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You are wonderful - thanks so much!

Timothy Walsh
Liberty Senior Living

On May 22, 2023, at 11:28 AM, Tanya, Saporito <tanya.saporito@dhhs.nc.gov> wrote:

Good morning,
Perfect. That is actually what I thought,
Working on the letters now. Hopefully they will be signed before you leave on vacation;
but if not, they'll be there when you return.

I'll give you a status update before you leave.

Tanya M. Saporito, J.D. *I work from home and in the office. Email is the best way to contact me.*

Project Analyst
[Division of Health Service Regulation](#), Certificate of Need
[NC Department of Health and Human Services](#)
Office: 919-855-3873
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From: Timothy J. Walsh <TWalsh@libertyseniorliving.com>

Sent: Saturday, May 20, 2023 12:16 PM

To: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Cc: Alicia Dell Wilson <AWilson@libertyhcare.com>

Subject: RE: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)

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Good afternoon Tanya:

Here are answers to questions below:

1. 2334 S. 41st Street, Wilmington, NC 28403 is the business address for this entity;
2. 2334 S. 41st Street, Wilmington, NC 28403 is the business address for this entity;

I can be the point-of-contact for the CON matters. The Administrator (not sure if they will be transitioning or if a new one will be hired) will be the POC for the building with licensure.

Let me know if that helps or if you need additional details. thanks!

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

TWalsh@libertyseniorliving.com

From: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Sent: Friday, May 19, 2023 1:27 PM

To: Timothy J. Walsh <TWalsh@libertyseniorliving.com>

Subject: RE: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)

Happy Friday, Tim,

I have a couple of questions regarding your exemption request:

1. What is the address for Liberty Commons of Robeson County, LLC AND are you the POC for that business?
2. What is the address for Liberty Healthcare Properties of Robeson County, LLC AND are you the POC for that business?

Thank you in advance!

Tanya M. Saporito, J.D. *I work from home and in the office. Email is the best way to contact me.*

Project Analyst

[Division of Health Service Regulation](#), Certificate of Need

[NC Department of Health and Human Services](#)

Office: 919-855-3873

Tanya.saporito@dhhs.nc.gov

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From: Timothy J. Walsh <TWalsh@libertyseniorliving.com>

Sent: Wednesday, May 17, 2023 4:26 PM

To: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Cc: Waller, Martha K <martha.waller@dhhs.nc.gov>

Subject: [External] Request of Exemption - Lease & Acquisition of WoodHaven Nursing Center (at Southeastern Regional Medical Center)

Importance: High

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We respectfully request a letter from the Certificate of Need Section stating that this lease & acquisition is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8).

Thank you in advance for your assistance and please let me know if you have any

questions.

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

Office: 910-332-1982

Mobile: 910-512-9191

TWalsh@libertyseniorliving.com

2334 S. 41st Street, Wilmington, NC 28403

Visit our website at www.LibertySeniorLiving.com

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