



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Aldona Z. Vos, M.D.
Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt
Division Director

RESPONSE REQUIRED

December 20, 2013

Aneel Gill
1626 Jeurgens Court
Norcross, GA 30093

Conditional Approval

Project I.D. #: G-10161-13
Facility: UniHealth Home Health
Project Description: Develop a Medicare-certified home health agency in Forsyth County
County: Forsyth
FID #: 130324

Dear Mr. Gill:

The Certificate of Need (CON) Section, Division of Health Service Regulation, Department of Health and Human Services has conditionally approved the above referenced certificate of need application. This decision was made after a review of the applications submitted for this cycle and after consideration of the Certificate of Need Law, G.S. 131E-175 et. seq. and regulations promulgated there under, the State Medical Facilities Plan, and other applicable information. Attached to this letter are the required findings made with respect to your application. The applicant shall not proceed with the construction, offering or development of this project until the certificate of need is issued. Further, the Department shall not issue the certificate of need until all applicable conditions of approval that can be satisfied before issuance of the certificate of need have been met pursuant to G.S. 131E-187(a). The conditions are as follows:

1. United Home Care, Inc. d/b/a UniHealth Home Health Inc. d/b/a UniHealth Home Health and Forsyth County Healthcare Properties, Inc shall materially comply with all representations made in the certificate of need application.
2. Prior to issuance of the certificate of need, United Home Care, Inc. d/b/a UniHealth Home Health Inc. d/b/a UniHealth Home Health and Forsyth County Healthcare Properties, Inc shall acknowledge in writing to the Certificate of Need Section acceptance of and agree to comply with all conditions stated herein.



Certificate of Need Section

www.ncdhhs.gov

Telephone 919-855-3873 • Fax 919-733-8139

Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603

Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

An Equal Opportunity/ Affirmative Action Employer



Response to the above conditions should be submitted to the CON Section no later than 35 days from the date of the decision. Failure to respond within this time period may result in the CON Section making a determination not to issue a certificate of need for the project referenced above.

The conditional approval is valid only for a capital expenditure of \$374,229. If a cost overrun occurs that exceeds the approved capital expenditure amount, a new certificate of need may be required as determined by G.S. 131E-176(16)(e).

The applicant should be aware that according to the Certificate of Need Law any affected person shall have thirty (30) days after the date of decision to file a petition for a contested case on this approval. Further, if you are aggrieved by the conditions of the decision you may file a petition for a contested case hearing in accordance with G.S. 150B, Article 3, as amended. This petition must be filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 within thirty (30) days of the date of this decision. [Note: Effective October 1, 2009, OAH requires a filing fee with submittal of petitions for contested cases. Please direct all questions regarding this fee to OAH Clerk's Office (919-431-3000).]

G.S. 150B-23 provides that a party filing a petition must also serve a copy of the petition on all parties to the petition. Therefore, if you file a petition for a contested case hearing, you must serve a copy of the petition on the Department of Health and Human Services by mailing a copy of your petition to:

Emery Milliken
Department of Health and Human Services,
Office of Legal Affairs,
Adams Building – Room 154
2001 Mail Service Center
Raleigh, North Carolina, 27699-2001

It is requested that a copy of the petition also be served on the Certificate of Need Section.

The certificate of need will not be issued before the completion of this 30 day period ending January 21, 2014. If a contested case request is received within the thirty (30) day period, the certificate will not be issued until the appeal is resolved (10A NCAC 14C .0208).

The timetable for completion of the project is the timetable outlined in the certificate of need application, unless an adjustment has been made by the CON Section because the review period was extended. The timetable for this project is as follows:

Acquisition of Equipment	_____	July 2, 2014
Licensure of Home Health Office	_____	October 1, 2014
Medicare Certification	_____	April 3, 2015
Medicaid Certification	_____	July 2, 2015

Aneel Gill
Page 3
December 20, 2013

If the decision is appealed, the timetable set forth in this letter will be adjusted accordingly before the Certificate of Need is issued. Please contact us if any clarification of this decision is required.

Please refer to the Project I.D. # and Facility I.D. # (FID) in all correspondence.

Sincerely,

Celia C. Inman, Project Analyst

Martha J. Frisone, Assistant Chief
Certificate of Need Section

CCI:MJF:mw

Attachment

cc: Medical Facilities Planning Section, DHSR
Acute & Home Care Licensure & Certification Section, DHSR

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing notice of conditional approval on the following person by placing a copy in an official depository of the United States Postal Service in a postage-paid, first class envelope addressed as follows:

Aneel Gill
1626 Jeurgens Court
Norcross, GA 30093

Project I.D. # G-10161-13
FID # 130324

I hereby certify that I have served the foregoing notice of disapproval on the following persons by placing a copy in an official depository of the United States Postal Service in a postage-paid, first class envelopes addressed as follows:

Mike Raney
2106 South 17th Street
Winston-Salem, NC 28401

Project I.D. # G-10156-13
FID # 971360

Wanda Coley
6752 Parker farm Drive, Suite 210
Wilmington, NC 28405

Project I.D. # G-10159-13
FID # 130322

Hunter Diefes
2334 S. 41st Street
Wilmington, NC 28403

Project I.D. # G-10160-13
FID # 130323

This the 20th day of December, 2013.

Celia C. Inman, Project Analyst