



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

Pat McCrory  
Governor

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

Drexdal Pratt  
Division Director

**RESPONSE REQUIRED**

July 15, 2015

Mike Gerone  
8295 Tournament Drive, Suite 201  
Memphis, TN 38125

**Conditional Approval**

Project ID #: J-11030-15  
Facility: Strategic Behavioral Center-Raleigh  
Project Description: Transfer 24 psychiatric inpatient beds from Broughton Hospital to SBC- Raleigh pursuant to Policy PSY-1 for a total of 24 adult psychiatric inpatient beds, 32 child/adolescent psychiatric inpatient beds, and 36 psychiatric residential treatment facility beds upon project completion  
County: Wake  
FID #: 120089

Dear Mr. Gerone:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) 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 Agency shall not issue the certificate of need until all applicable conditions of approval have been met pursuant to G.S. 131E-187(a). The conditions are as follows:

1. SBH – Raleigh, LLC dba Strategic Behavioral Center - Raleigh shall materially comply with all representations made in the certificate of need application.
2. SBH – Raleigh, LLC dba Strategic Behavioral Center - Raleigh shall relocate no more than 24 adult psychiatric inpatient beds from Broughton Hospital for a total licensed bed

**Healthcare Planning and Certificate of Need Section**

www.ncdhhs.gov

Telephone 919-855-3873 • Fax 919-715-4413

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

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

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complement of no more than 24 adult psychiatric inpatient beds, 32 child and adolescent psychiatric inpatient beds, and 36 psychiatric residential treatment facility beds.

3. SBH – Raleigh, LLC dba Strategic Behavioral Center - Raleigh shall de-license 24 psychiatric residential treatment facility beds upon completion of this project.
4. SBH – Raleigh, LLC dba Strategic Behavioral Center - Raleigh shall accept patients requiring involuntary admission for inpatient psychiatric services.
5. SBH – Raleigh, LLC dba Strategic Behavioral Center - Raleigh shall acknowledge acceptance of and agree to comply with all conditions stated herein to the Healthcare Planning and Certificate of Need Section in writing prior to issuance of the certificate of need.

**Response to the above conditions should be submitted to the Agency no later than 35 days from the date of the decision. Failure to respond within this time period may result in the Agency 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 \$10,500. 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 Agency.

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July 15, 2015  
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The certificate of need will not be issued before the completion of this 30 day period ending August 14, 2015. 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 Agency because the review period was extended. The timetable for this project is as follows:

Licensure of Facility \_\_\_\_\_ October 1, 2015

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 this office if any clarification of this decision is required.

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

Sincerely,

Mike McKillip, Project Analyst

Lisa Pittman, Team Leader  
Certificate of Need

Attachment

cc: Acute & Home Care Licensure & Certification Section, DHSR  
Assistant Chief, Healthcare Planning

**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:

Mike Gerone  
8295 Tournament Drive, Suite 201  
Memphis, TN 38125

Project ID #J-11030-15

FID #120089

This the 15<sup>th</sup> day of July, 2015

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Mike McKillip, Project Analyst  
Certificate of Need