



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

Pat McCrory
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Drexdal Pratt
Division Director

April 30, 2014

Angel Richard, Senior Corporate Paralegal
LHC Group
420 West Pinhook Road
Lafayette LA 70503

Exempt from Review – Acquisition of Facility

Facility: Professional Nursing Service and Home Health
Acquisition by: LHCG L, LLC
County: Wake
FID #: 955700

Dear Ms. Richard:

In response to your letter of March 28, 2014, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, LHCG L, LLC may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Acute and Home Care Licensure and Certification Section of the Division of Health Service Regulation to obtain instructions for changing ownership of the existing facility. 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.”*

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

Sincerely,

Michael J. McKillip
Project Analyst

Martha J. Frisone, Interim Chief
Certificate of Need Section

cc: Acute and Home Care Licensure and Certification Section, DHR
Medical Facilities Planning Branch, DHR



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

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Home Health • Hospice • Long-Term Acute Care • Community-Based Services

Mike
FID # 955700

March 28, 2014

Via Federal Express

Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Health & Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704

Received by
the CON Section
APR 1 2014

**Re: Notice of Exempt Acquisition of an Existing Health Service Facility Pursuant to
N.C. Gen. Stat. §131E-184(a)(8)**

Dear Sir / Madam:

I am writing on behalf of LHC L, LLC ("LHC L") to provide notice of the exempt acquisition of Professional Nursing Service, Inc. d/b/a Professional Nursing Service and Home Health (HC1437).

As background, LHC L is a subsidiary of North Carolina Health Care Group, LLC. North Carolina Health Care Group, LLC is a wholly owned subsidiary of LHC Group, Inc. LHC Group, Inc. has a network of home health agencies, hospice agencies, inpatient rehabilitation facilities, and private duty nursing agencies totaling over 300 locations.

The current owner of Professional Nursing Service and Home Health (HC1437) is Professional Nursing Service, Inc. As a result of the acquisition, the assets for this facility will be transferred to a new Limited Liability Company called LHC L, LLC. The anticipated closing date for this transaction is May 1, 2014.

The CON Law provides that, upon receiving prior written notice, the CON Section shall exempt from CON review the acquisition of "an existing health service facility, including equipment owned by the health service facility at the time of acquisition." N.C. Gen. Stat. §131E-184(a)(8). The CON Law further provides that a home health agency is a type of health service facilities. See N.C. Gen. Stat. §131E-176(9b).

Can you please provide written confirmation that the acquisition of Professional Nursing Service and Home Health as described above is exempt from CON review?

Should you have any questions or require additional information regarding this transaction, please contact me at (337) 233-1307, ext. 210714.

Sincerely,

Angel Richard

Angel Richard
Senior Corporate Paralegal

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