



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

March 11, 2014

D. Gray Angell
Batangas Consulting, LLC
142 Bermuda Village Drive
Bermuda Run, NC 27006

Exempt from Review – Acquisition of Facility


Facility: Bermuda Village Retirement Center
Acquisition by: Batangas Consulting, LLC
County: Davie
FID #: 932966


Dear Mr. Angell:

In response to your letter of February 27, 2014, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Batangas Consulting, LLC may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Nursing Home 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,


Kim Randolph
Project Analyst


Martha J. Frisone, Interim Chief
Certificate of Need Section

cc: Nursing Home Licensure and Certification Section, DHHS
Medical Facilities Planning Branch, DHHS



Certificate of Need Section

www.ncdhhs.gov

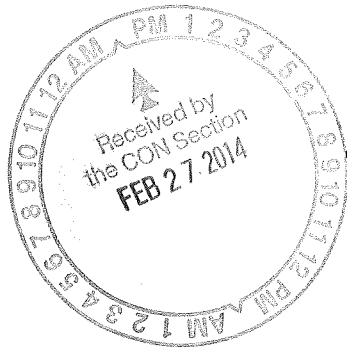
Telephone: 919-855-3873 • Fax: 919-733-8139

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

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

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BATANGAS COSULTING LLC
dba Bermuda Village Retirement Center
142 Bermuda Village Dr,
Bermuda Run, N. C. 27006

February 27, 2014

Kim Randolph, JD
Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Health and Human Services
809 Ruggles Drive
Raleigh, North Carolina 27603
E-Mail: kimberly.randolph@dhhs.nc.gov

I represent Batangas Consulting LLC. Batangas Consulting LLC has entered into an Asset Purchase Agreement with Bermuda Village Retirement Center LP pursuant to which Batangas Consulting LLC will acquire all of Bermuda Village Retirement Center LP's interest in the 3 Skilled Nursing Facility Beds and 21 Adult Care Home Beds located in Bermuda Run, North Carolina. (Facility ID 932966) The closing of this acquisition is expected to occur in the next few weeks.

This facility has been in business for thirty years. There will not be a change in bed location or licensure. The purchase is from the Estate of D. Gray Angell, Sr.

On behalf of Batangas Consulting LLC, I hereby request that you issue a letter confirming that the acquisition of Bermuda Village Retirement Center, which is an existing health service facility, by Batangas Consulting LLC is exempt from certificate of need review.

Thank you for your help in this matter. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Gray Angell, Jr.".

D. Gray Angell, Jr.