



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

August 14, 2015

Ruth C. Schwartz
Gentiva Health Services, An Affiliate of Kindred at Home
129900 Foster, Suite 400
Overland Park, KS 66213

Exempt from Review – Acquisition of Facility

Record #: 1691
Facility Name: Lincoln County Home Health Agency
Type of Facility: Home Health
FID #: 953969
Acquisition by: Capital Care Resources, LLC
Business #: 2251
County: Lincoln

Dear Ms. Schwartz:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of August 10, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Capital Care Resources, LLC may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Agency's Acute and Home Care Licensure and Certification Section 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



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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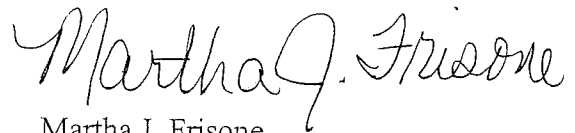


separate determination. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,



Celia C. Inman
Project Analyst



Martha J. Frisone,
Assistant Chief, Certificate of Need

cc: Acute and Home Care Licensure and Certification Section, DHR
Assistant Chief, Healthcare Planning



VIA EMAIL ADDRESS: Kimberly.Randolph@DHHS.NC.Gov

August 10, 2015

Ms. Kimberly Randolph
CON Specialist
North Carolina Department of Human Resources
Division of Facility Services – Certificate of Need
809 Ruggles Drive, Edgerton Bldg.
Raleigh, NC 27603

RE: Transfer of Ownership Notice –
Lincoln County Home Health Agency
206 Gamble Drive, Suite B
Lincolnton, NC 28092
Facility #953969
HHA License #HC0391

Dear Ms. Randolph,

Please accept this written request for a determination of exemption from certificate-of-need review in accordance with N.C.G.S. 131E-184(a)(8) for the acquisition of an existing health care facility providing home health care services.

Lincoln County Home Health Agency ("Seller") owns and operates a state-licensed and Medicare-approved home health agency located at the above address. Through a limited asset sale transaction, Capital Care Resources, LLC ("Buyer") will become the prospective new owner and operator of the Seller's home health care business.

Pending the execution of an asset purchase agreement and receipt of the required regulatory approvals, the Buyer will continue operating the health care facility in Lincoln County. The proposed transfer of ownership is expected to be completed on or before September 30, 2015.

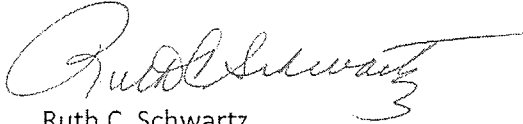
Whereas the proposed transfer of ownership will not constitute the development of a new institutional health service or in any way materially affect the State Health Plan Services for home health agencies, I am respectfully the Division of Facility Services

Ms. Kimberly Randolph
CON Specialist
August 10, 2015
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to issue an exemption from certificate-of-need based on the facts represented in this letter. Please forward the Division of Facility Services' response to the undersigned at your earliest convenience via email or fax.

Kimberly, thanks again for your time and assistance in this matter.

Regards,



Ruth C. Schwartz
Assistant Vice President, Licensing & Certification
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