



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

January 27, 2015

Diane B. Rivers
2701 Coltsgate Road, Suite 300
Charlotte, NC 28211

Exempt from Review – Physician Office

Provider: Caldwell Memorial Hospital, Inc. and Brackett Flagship Properties, LLC
Project Description: Develop a medical office building
County: Caldwell
FID: 933051

Dear Ms. Rivers:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that based on your letters of October 8, 2014, and December 8, 2014, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(9). Therefore, you may proceed to offer, develop, or establish the above referenced project without a certificate of need.

However, you need to contact the Agency’s Construction and the Acute and Home Care Licensure and Certification Sections to determine if they have any requirements for development of the proposed physician office.

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

Sincerely,

Julie Halatek
Project Analyst

Martha J. Frisone
Assistant Chief, Certificate of Need

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

Healthcare Planning and 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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Received by
the CON Section
DEC 11 2014

December 8, 2014

Ms. Julie Halatek, Project Analyst
Certificate of Need Section
Mail Services Center 2704
Raleigh, NC 27699-2704

RE: Request for a Determination of Exempt from Review/Development of a Physician Office Building/UNC Health Care / Caldwell County

Dear Ms. Halatek:

This letter is in response to your letter of December 1. The correct owner of the property is indeed Caldwell Memorial Hospital, Inc. as is stated in the Certificate of Need application. I apologize for the confusion, as I misspoke.

Please do not hesitate to contact me at 704-442-0222, ext. 7270 if you need any additional information. Thank you for your consideration of this matter.

Sincerely,

Brackett Flagship Properties, LLC

A handwritten signature in cursive script, appearing to read "Diane Rivers".

Diane B. Rivers
Managing Partner



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December 1, 2014

Diane B. Rivers
2701 Coltsgate Road, Suite 300
Charlotte, NC 28211

RE: Information Required for Exempt from Review Determination / Brackett Flagship
Properties, LLC and Caldwell UNC Health Care / Caldwell County

Dear Ms. Rivers:

The Certificate of Need (CON) Section has received your request for a determination as to whether the above mentioned project is exempt from review for a certificate of need. In order for the CON Section to make such a determination, please submit the following information to this office:

1. Verification of the name of the business that will own the property where the medical office building will be developed. In your letter of October 8, 2014, you state that Caldwell UNC Health Care will own the land and Brackett Flagship Properties, LLC will develop the medical office building. However, in applications submitted for a certificate of need for a freestanding ambulatory surgical facility on the same property, documents state that Caldwell Memorial Hospital, Inc. will own the property (Project I.D. #s E-10261-14 and E-10358-14). Please confirm the correct name of the business that will own the property where the medical office building will be developed.

Your prompt response will assist the CON Section in making a timely review of your request. If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

Julie Halatek, Project Analyst
Certificate of Need Section

Certificate of Need Section

www.ncdhhs.gov

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Received by
the CON Section
OCT 10 2014

October 8, 2014

Mr. Michael J. McKillip
Certificate of Need Section
Division of Facilities Services
Department of Health and Human Services
Mail Services Center 2704
Raleigh, NC 27699-2704

RE: Request for a Determination of Exempt from Review/Development of a Physician Office Building/UNC Health Care / Caldwell County

Dear Mr. McKillip:

This letter is written to provide notice pursuant to N.C.G.S. 131E-184(a)(9) of the development of a physician office building to be constructed on 6.893 acres located at River Bend Drive, Granite Falls, NC by Brackett Flagship Properties, LLC of Charlotte, NC. Caldwell UNC Health Care will own the property and sign a long term ground lease with Brackett Flagship Properties, LLC, and plans to lease office space in this facility. Brackett Flagship Properties, LLC is not a related entity to Caldwell UNC Health Care. Funding of the project construction is to be provided by or through Brackett Flagship, LLC.


Brackett Flagship Properties, LLC is designing approximately 24,000 square feet in a single story building with adjacent parking on a portion of the 6.893 acre site. Caldwell UNC Health Care intends to lease a portion of the building. The physician office will be in proximity to the homes and businesses of southern Caldwell County, and with better access to major transportation routes, will allow patients, physicians and staff easier access to Caldwell UNC Health Care facilities.

Brackett Flagship Properties, LLC and Caldwell UNC Health Care are requesting confirmation that the construction of this physician office building by Brackett Flagship Properties, LLC and the subsequent leasing of space by Caldwell UNC Health Care exempt from review pursuant to G.S. 131E-184(a)(9), which allows for the CON Section to exempt from review the construction of a physician office building, regardless of cost, unless hospital health services as defined in G.S. 131E-176(16)(b) are offered or developed in the building. At this time, plans are for the space in the medical office building to be leased to the above referenced services and other private medical practices, and not occupied by hospital based clinics or institutional health services as defined in G.S. 131E-176(16)(b).

Please do not hesitate to contact me at 704-442-0222, ext. 7270 if you need any additional information. Thank you for your consideration of this matter.

Sincerely,

Brackett Flagship Properties, LLC

A handwritten signature in cursive script, appearing to read "Diane B. Rivers".

Diane B. Rivers
Managing Partner