



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

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Mark Payne
Assistant Secretary for Audit and
Health Service Regulation

August 18, 2016

Robert A Leandro
PO Box 389
Raleigh, NC 27602-0389

Exempt from Review – Acquisition of Facility

Record #: 2020
Facility Name: Hospice of McDowell County
Type of Facility: Hospice
FID #: 944473
Acquisition by: Community CarePartners, Inc.
Business #: 2394
County: McDowell

Dear Mr. Leandro:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of August 1, 2016, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Community CarePartners, Inc. 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 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: Acute and Home Care Licensure and Certification Section, DHHS
Paige Bennett, Assistant Chief, Healthcare Planning, DHHS

Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

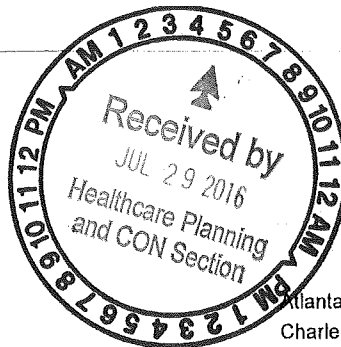
Telephone: 919-855-3873 • Fax: 919-715-4413

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

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

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August 1, 2016

VIA U.S. MAIL AND ELECTRONIC MAIL

Martha Frisone, Assistant Chief
Health Planning and Certificate of Need
Section
North Carolina Department
of Health and Human Services
2704 Mail Service Center
Raleigh, North Carolina 27699-2704
Martha.Frisone@dhhs.nc.gov

Re: **Request for No Review Determination**

Dear Ms. Frisone:

This letter is intended to provide notice to the Certificate of Need Section that our client Community CarePartners, Inc. ("CarePartners") is planning to acquire the Medicare certified hospice agency owned by Hospice of McDowell County, Inc., which is located in McDowell County, North Carolina. CarePartners intends to acquire the hospice through an asset contribution agreement and expects that this transaction will close on or around October 1, 2016.

CarePartners requests that the CON Section confirm that this acquisition is not subject to Certificate of Need ("CON") review under N.C.G.S. § 131E-184(a)(8) and issue a written determination so that the change of ownership may proceed without review.

I greatly appreciate your attention to this matter. If you have any questions, please feel free to give me a call.

Sincerely,

Robert A. Leandro

RAL:kib