



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

January 28, 2016

Robert A. Leandro
301 Fayetteville Street, Suite 1400
Raleigh, NC 27601

Exempt from Review – Acquisition of Facility

Record #: 1838
Facility Name: Native Angels Home Health, Inc.
Type of Facility: Home Care Agency
FID #: 060663
Acquisition by: Five Points Healthcare of North Carolina, LLC
Business #: 2339
County: Cumberland

Dear Mr. Leandro:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of December 22, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Five Points Healthcare of North Carolina, 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

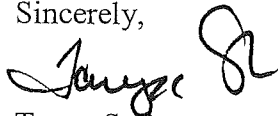
Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

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

Sincerely,



Tanya S. Rupp
Project Analyst



Martha J. Frisone,
Assistant Chief, Certificate of Need

cc: Acute and Home Care Licensure and Certification Section, DHSR
Kelli Fisk, Program Assistant, Healthcare Planning, DHSR



Robert A. Leandro
Partner
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December 22, 2015

VIA U.S. AND ELECTRONIC MAIL

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

Bus id # 2339
NR id 1838

Re: Request for No Review Determination

Dear Ms. Frisone:

This letter is intended to provide notice to the Certificate of Need Section ("CON Section") that Five Points Healthcare of North Carolina, LLC ("Five Points") is planning to acquire the home health agency licensed as Native Angels Home Health, Inc. ("Native Angels") which is located at 1540 Purdue Drive, Suite 302, Fayetteville, NC 28303.

Five Points intends to acquire Native Angels through an asset purchase agreement and expects that this transaction will close no earlier than January 31, 2016. Five Points requests that the CON Section confirm that this acquisition is not subject to CON review under N.C. Gen. Stat. § 131E and issue a written determination to this effect so that the change of ownership may proceed without review.

I greatly appreciate your attention to this matter. Please feel free to call me directly if you have any questions.

Sincerely,

Robert A. Leandro

RAL:klb

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