



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

MARK PAYNE
DIRECTOR

August 31, 2017

Robert A. Hamill
3015 Carrington Mill Blvd.
Suite 450
Morrisville, NC 27560

Exempt from Review – Acquisition of Facility


Record #: 2374
Facility Name: Granville-Vance Home Health Agency
Type of Facility: Home Health
FID #: 953776
Acquisition by: Home Health and Hospice Care, Inc.
Business #: 954
County: Vance

Dear Mr. Hamill:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of August 18, 2017, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, Home Health and Hospice Care, 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 N.C. Gen. Stat. §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,


Bernetta Thorne-Williams
Project Analyst


Martha J. Frisone, Chief
Healthcare Planning and Certificate of Need Section

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

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

WWW.NCDHHS.GOV

TELEPHONE 919-855-3873

LOCATION: EDGERTON BUILDING • 809 RUGGLES DRIVE • RALEIGH, NC 27603

MAILING ADDRESS: 2704 MAIL SERVICE CENTER • RALEIGH, NC 27699-2704

AN EQUAL OPPORTUNITY/ AFFIRMATIVE ACTION EMPLOYER





Hall, Render, Killian, Heath & Lyman, LLP
Perimeter Three
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Suite 450
Morrisville, North Carolina 27560

FID# 953776
Record# 2374

Robert A. Hamill
(919) 447-4970
rhamill@hallrender.com

August 18, 2017

VIA UPS OVERNIGHT DELIVERY

Martha Frisone
Assistant Chief
North Carolina Division of Health Service Regulation
Health Planning and Certificate of Need Section
809 Ruggles Drive
Raleigh, NC 27603



RE: Notice of Exempt Acquisition of an Existing Health Service Facility

Dear Ms. Frisone:

We represent Home Health and Hospice Care, Inc. (“3HC”). We are writing to inform the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Health Planning and Certificate of Need Section (“CON Section”) of 3HC’s acquisition of the Granville-Vance Home Health Agency (“GVHH”) that is currently owned and operated by the Granville-Vance District Health Department.

3HC will acquire GVHH’s assets and operations pursuant to one or more transactions set forth in an asset purchase agreement and other ancillary agreements to be entered into by the parties. The parties anticipate that the transaction will become effective on or about October 1, 2017. Following the closing of the transaction, 3HC will be the owner, and licensed operator, of the former GVHH home health agency.

The acquisition of an existing health service facility, including an existing home health agency, is exempt from certificate of need review (“CON”).¹ The transaction described herein involves only the acquisition of an existing health service facility. As a result, the transaction is exempt from CON review pursuant to N.C. Gen. Stat. § 131E-184(a)(8).

¹ N.C. Gen. Stat. § 131E-184(a)(8).

August 18, 2017

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On behalf of 3HC, we respectfully request that the CON Section provide written confirmation that 3HC's acquisition of GVHH, as described herein, is exempt from CON review pursuant to N.C. Gen. Stat. § 131E-184(a)(8).

Please do not hesitate to contact me if you have any questions or require additional information. Thank you for your review and consideration of this matter.

Sincerely,

HALL, RENDER, KILLIAN, HEATH & LYMAN, LLP

A handwritten signature in black ink that reads "Robert Hamill". The signature is written in a cursive style with a large, prominent "R" and "H".

Robert A. Hamill