



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

December 7, 2018

Mary Robinson Hervig
Roberts & Stevens
Post Office Box 7647
Asheville, NC 28802

Exempt from Review – Acquisition of Facility

Record #: See Attachment A
Facility Name: See Attachment A
Type of Facility: Adult Care Home
FID #: See Attachment A
Acquisition by: Richmond Hill Rest Homes, LLC
Business #: 2973
County: Buncombe

Dear Ms. Robinson Hervig:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your representations, the above referenced proposal is exempt from certificate of need (CON) review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. The Agency’s determination is limited to the question of whether or not the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. 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.”*

In the event that the business listed above does acquire the facility, you should contact the Agency’s Adult Care Licensure Section to obtain instructions for changing ownership of the existing facility.

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 regarding whether or not a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Gloria C. Hale
Team Leader

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

cc: Adult Care Licensure Section, DHSR
Melinda Boyette, Administrative Assistant, Healthcare Planning, DHSR
NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 2701 Mail Service Center, Raleigh, NC 27699-2701
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ATTACHMENT A

Record #	Facility	County	FID #	Current Owner	Business ID #	Proposed Owner
2800	Richmond Hill Rest Home #1	Buncombe	921006	FBN-Asheville LLC	2984	Richmond Hill Rest Homes, LLC
2801	Richmond Hill Rest Home #2	Buncombe	921007	FBN-Asheville LLC	2984	Richmond Hill Rest Homes, LLC
2802	Richmond Hill Rest Home #3	Buncombe	921008	FBN-Asheville LLC	2984	Richmond Hill Rest Homes, LLC
2803	Richmond Hill Rest Home #4	Buncombe	921009	FBN-Asheville LLC	2984	Richmond Hill Rest Homes, LLC
2804	Richmond Hill Rest Home #5	Buncombe	921010	FBN-Asheville LLC	2984	Richmond Hill Rest Homes, LLC

ROBERTS & STEVENS

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LONDON ROBERTS
(1921-2007)

November 30, 2018

Ena Lightbourne, Project Analyst
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
NC Department of Health and Human Services
809 Ruggles Drive, Edgerton Building
Raleigh, NC 27603

Via Email and FedEx
ena.lightbourne@dhhs.nc.gov

RE: Transfer of Richmond Hill Rest Homes #1-5, Adult Care Homes
Exemption Notice

Dear Ms. Lightbourne:

The purpose of this letter is to provide notice of a certificate of need review exempt acquisition of the following existing health service facilities pursuant to N.C. Gen. Stat. § 131E-184(a)(8):

Richmond Hill Rest Home #1, Buncombe County, FID 921006
Richmond Hill Rest Home #2, Buncombe County, FID 921007
Richmond Hill Rest Home #3, Buncombe County, FID 921008
Richmond Hill Rest Home #4, Buncombe County, FID 921009
Richmond Hill Rest Home #5, Buncombe County, FID 921010

Currently, these five adult care homes, which are located at 95 Richmond Hill Road in Asheville, North Carolina, are operated by Starla W. Fore, certified administrator of Richmond Hill Rest Homes #1-5 and the President of Family Care Homes, Inc., the license holder.

Ms. Fore's wholly-owned North Carolina limited liability company, Richmond Hill Rest Homes, LLC, intends to acquire all five adult care homes. The residents of the five adult care homes should not be affected in any way by this transfer, as it will not involve or cause any change in the facilities, capacity, equipment, management, personnel, policies and procedures,

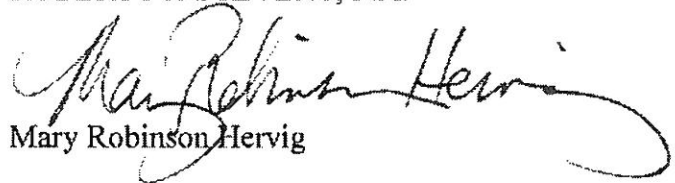
Ena Lightbourne, Project Analyst, Healthcare Planning and Certificate of Need Section
November 30, 2018
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operations, or services provided at any of the adult care homes. The transfer will be effectuated after your office provides confirmation that the proposed transfer is exempt from certificate of need review and upon issuance of a license to Richmond Hill Rest Homes, LLC.

We respectfully request that your office provide confirmation that the proposed transfer is exempt from review as an acquisition of an existing health service facility pursuant to N.C. Gen. Stat. § 131E-184(a)(8). If at all possible, we would greatly appreciate receiving such confirmation prior to the end of calendar year 2018.

Sincerely yours,

ROBERTS & STEVENS, P.A.

A handwritten signature in black ink, appearing to read "Mary Robinson Hervig", written in a cursive style. The signature is positioned above the printed name.

Mary Robinson Hervig