



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Health Service Regulation

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director

June 18, 2018

Timothy Walsh
2334 S. 41st Street
Wilmington, NC 28403

Exempt from Review – Acquisition of Facility

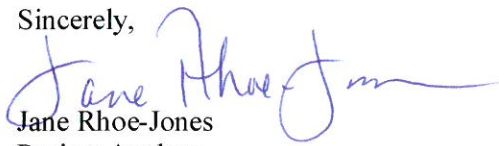
Record #: 2617
Facility Name: Hertford-Gates Home Health Agency
Type of Facility: Home Health Care
FID #: 943820
Acquisition by: Liberty Home Care VII, LLC
Business #: 2848
County: Hertford

Dear Mr. Walsh:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of May 30, 2018, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, Liberty Home Care VII, 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 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,


Jane Rhoe-Jones
Project Analyst


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

cc: Acute and Home Care Licensure and Certification Section, DHSR
Amy Craddock, Assistant Chief, 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: 2704 Mail Service Center, Raleigh, NC 27699-2704
www.ncdhs.gov/dhsr/ • TEL: 919-855-3873



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May 30, 2018

VIA EMAIL ONLY

Martha Frisone, Chief
Jane Rhoe-Jones, Project Analyst
NC Department of Health and Human Services
Division of Health Service Regulation
Healthcare Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: EXEMPT FROM REVIEW– Acquisition of Hertford-Gates Home Health Agency by Liberty Home Care VII, LLC

Dear Ms. Frisone and Ms. Rhoe-Jones,

In accordance with North Carolina G.S. 131E-181(a)(8), this letter is intended to request a determination of exemption from Certificate of Need (“CON”) review by the Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (“Agency”).

Currently, Hertford County Public Health Authority (“Seller”) owns and operates the state-licensed, Medicare and Medicaid certified Hertford-Gates Home Health Agency. The Home Health Agency operates under license number HC504 and home health provider number 347049. Pending execution of an Asset Purchase Agreement, Liberty Home Care VII, LLC (“Buyer”) will become the new owner and operator of Sellers Home Health Agency with offices in both Hertford County and Gates County.

The proposed transfer of ownership will not materially affect the State Health Plan Services for Home Health Agencies. The transfer of ownership is anticipated to be completed on or about June 15th, 2018. Accordingly, we respectfully request an exemption from CON review.

Thank you for your time and attention to this matter. Please contact me if you have any questions.

Best Regards,

Timothy Walsh
Senior Financial Analyst

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