



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

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

October 16, 2018

James Eubanks  
171 Monroe Lane  
Lexington, SC 29072

**Exempt from Review – Acquisition of Facility**

**Record #:** 2737  
**Facility Name:** Home Health and Hospice of Person County  
**Type of Facility:** Hospice  
**FID #:** 954066  
**Acquisition by:** MSA Home Health and Hospice of the Piedmont, Inc.  
**Business #:** 2929  
**County:** Person

Dear Mr. Eubanks:

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 Acute and Home Care Licensure and Certification Section, DHSR 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,

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  
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  
www.ncdhhs.gov/dhsr/ • TEL: 919-855-3750 • FAX: 919-733-2757

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Record# 2737

# Corporate Headquarters



October 11, 2018

Ms. Martha Frisone  
Chief, Certificate of Need Section  
Division of Health Service Regulation  
NC Department of Health & Human Services  
2704 Mail Service Center  
Raleigh, North Carolina 27699-2704

**RE: HOME HEALTH AND HOSPICE OF PERSON COUNTY - EXEMPTION NOTICE  
HOME HEALTH & HOSPICE AGENCY - LICENSE #: HC0533; Facility ID: 954066**

Dear Ms. Frisone:

The purpose of this letter is to provide notice to the North Carolina Department of Health and Human Services, Division of Health Service Regulation ("DHSR"), Certificate of Need Section (the "CON Section") that MSA Home Health and Hospice of the Piedmont, Inc., a North Carolina corporation ("MSA-Piedmont"), which is an affiliate of Medical Services of America, Inc. will be purchasing substantially all the assets of Person County, a North Carolina political subdivision (the "County"), owned and used in connection with the operation of its licensed and Medicare-certified home health and hospice agency located in Roxboro, North Carolina, d/b/a Home Health and Hospice of Person County (License No. HC0533) (the "Roxboro Agency").

The acquisition of "an existing health service facility" is exempt from certificate of need review pursuant to N.C. Gen. Stat. §131E-184(a)(8), and as you know, "health service facility" is defined to include home health agencies as well as hospice agencies. N.C. Gen. Stat. §131E-176 (9b).

At this time we respectfully request that you please confirm that MSA-Piedmont's acquisition of the Roxboro Agency is exempt from CON review pursuant to N.C. Gen. Stat. §131E-184(a)(8).

Should you require additional information, please contact me via phone (803-957-0500 x6886) or email (jeubanks@msa-corp.com). Thank you for your time and consideration in this matter. Your confirmation and issuance of a letter of no-review at the earliest possible date is greatly appreciated, as the parties would like to close the proposed transaction by or before November 1, 2018.

Kindest regards,

James Eubanks  
Managed Care Contract Analyst

Cc: Nancy Joyce, Administrative Office (NC Division of Health Service Regulation)

Encl: NC Hospice License Certificate: Home Health and Hospice of Person County

171 Monroe Lane • Lexington, SC 29072 • P.O. Box 609 (29071-0609)  
PHONE (803) 957-0500 • FAX (803) 358-5741

## MEDICAL SERVICES OF AMERICA, INC.

www.MedicalServicesofAmerica.com