



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

VIA EMAIL ONLY

September 12, 2019

Lisa Arbuckle
Lisa.Arbuckle@encompasshealth.com

Exempt from Review – Acquisition of Facility

Record #: 3043
Facility Name: AssistedCare Home Health
Type of Facility: Home Health Agency
FID #: 970422
Acquisition by: CareSouth HHA Holdings of Lexington, LLC
Business #: 3097
County: Brunswick

Dear Ms. Arbuckle:

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 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,

Tanya M. Saporito
Project Analyst

Martha J. Frisone
Chief

cc: Acute and Home Care Licensure and Certification Section, 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: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
https://info.ncdhhs.gov/dhsr/ • TEL: 919-855-3873

Tanya, Saporito

From: Arbuckle, Lisa <Lisa.Arbuckle@encompasshealth.com>
Sent: Tuesday, September 10, 2019 10:43 AM
To: Tanya, Saporito
Subject: RE: [External] CON Request Exemption from Review to Purchase Provider AssistedCare Home Health, Inc.

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Good morning Tanya,

This is a corporate level change of ownership. The bricks & mortar physical location is leased.

Thank you. Please let me know if you need anything else.

Lisa Arbuckle | Director, Licensing and Enrollment
Region: AZ, CO, ID, NM, OK, OR, UT
Encompass Health - Home Health & Hospice
O 469.621.8681 | F 214.239.6581
6688 N. Central Expressway | Suite 1300 | Dallas, TX 75206

encrypt

From: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>
Sent: Monday, September 9, 2019 11:46 AM
To: Arbuckle, Lisa <Lisa.Arbuckle@encompasshealth.com>
Subject: RE: [External] CON Request Exemption from Review to Purchase Provider AssistedCare Home Health, Inc.

****WARNING::This email originated outside Encompass Health::WARNING****
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Arbuckle,

I am reviewing your request for exemption from CON law as noted by your email. I have one question: will the owner of the real estate (bricks and mortar) change, or is this a corporate level change in ownership?

Thank you in advance for your attention. Please contact me if you have any questions.

From: Arbuckle, Lisa <Lisa.Arbuckle@encompasshealth.com>
Sent: Friday, August 30, 2019 3:10 PM
To: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>

Waller, Martha K

From: Tanya, Saporito
Sent: Wednesday, September 04, 2019 12:56 PM
To: Waller, Martha K
Subject: FW: [External] CON Request Exemption from Review to Purchase Provider AssistedCare Home Health, Inc.
Attachments: Request Exemption from Review -Purchase Provider AssistedCare Home Health, Inc CON Brunswick County.pdf
Importance: High



From: Arbuckle, Lisa <Lisa.Arbuckle@encompasshealth.com>
Sent: Friday, August 30, 2019 3:10 PM
To: Tanya, Saporito <tanya.saporito@dhhs.nc.gov>
Subject: [External] CON Request Exemption from Review to Purchase Provider AssistedCare Home Health, Inc.
Importance: High

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Good afternoon Ms. Saporito,

Attached, please find a request for exemption from review for the purchase of AssistedCare Home Health, Inc. by CareSouth HHA Holdings of Lexington, LLC.

Should you have questions or require additional information please don't hesitate to contact me.

Thank you for your attention to this matter.

Lisa Arbuckle | Director, Licensing and Enrollment
Region: AZ, CO, ID, NM, OK, OR, UT
Encompass Health - Home Health & Hospice
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August 30, 2019

VIA EMAIL Tanya.Rupp@dhhs.nc.gov
Ms. Tanya Saporito
Health Service Area V – Analyst
NC Division of Health Service Regulation
Healthcare Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: Request Exemption from Review to Purchase Provider
Change of Ownership Effective Date: November 1, 2019
AssistedCare Home Health, Inc.
CON: # 0-5318-96 - Brunswick County
CCN: 34-7224
License #: HC1500
Facility ID: 970422

Dear Ms. Saporito,

Effective November 1, 2019, CareSouth HHA Holdings of Lexington, LLC d/b/a Encompass Health Home Health (buyer) will enter into an asset purchase agreement to acquire the assets of AssistedCare Home Health, Inc. (seller). The CON approved county for this provider is Brunswick County.

Please accept this request for an exemption from review to purchase the provider. Once approved, please provide written confirmation of approval to my attention at Lisa.Arbuckle@encompasshealth.com.

Enclosed for your reference are the pre and post-closing corporate ownership organizational charts. Should you have questions or require additional information, please contact me at (469) 621-8681.

Thank you

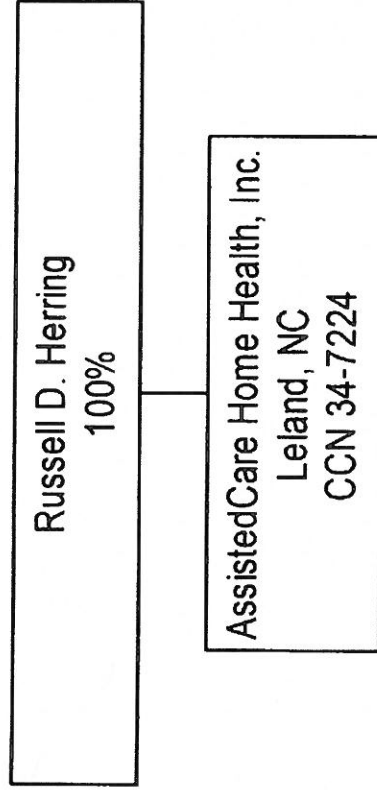
Sincerely,

Lisa Arbuckle
Director, Licensing & Enrollment

Enclosure

Pre-Transaction Organizational Chart

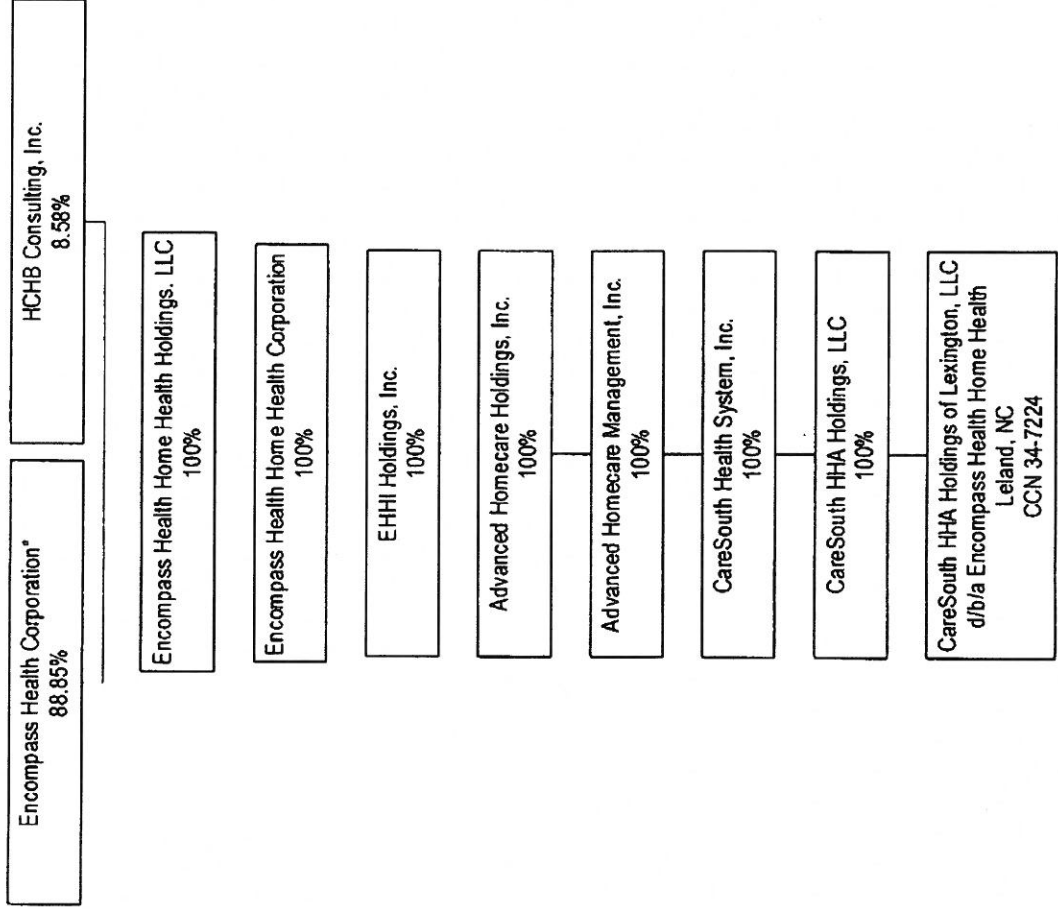
AssistedCare Home Health, Inc.



Post Transaction Organizational Chart

CareSouth HHA Holdings of Lexington, LLC

d/b/a Encompass Health Home Health



*Encompass Health Corporation is a publicly traded company on the New York Stock Exchange (EHC)