



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

February 14, 2020

Timothy J. Walsh  
[twalsh@libertyseniorliving.com](mailto:twalsh@libertyseniorliving.com)

**No Review**

**Record #:** 3215  
**Facility Name:** The Magnolias Over Yadkin / Yadkin Nursing Care Center  
**FID #:** 010281 / 923574  
**Business Name:** Liberty Healthcare Properties of Yadkin County, LLC  
**Business #:** 3163  
**Project Description:** Re-license The Magnolias Over Yadkin (HAL-099-011) and Yadkin Nursing Care Center (NH0224) as a combination facility  
**County:** Yadkin

Dear Mr. Walsh:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the above referenced proposal. Based on the CON law **in effect on the date of this response to your request**, the proposal described in that correspondence is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

You may need to contact the Agency's Construction, Adult Care Licensure, and Nursing Home Licensure and Certification Sections to determine if they have any requirements for development of the proposed project.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Celia C. Inman  
Project Analyst

Martha J. Frisone  
Chief

cc: Construction Section, DHSR  
Nursing Home Licensure and Certification Section, DHSR  
Adult Care Licensure 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

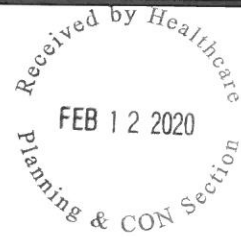
AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

## Inman, Celia C

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**From:** Timothy J. Walsh <TWalsh@libertyseniorliving.com>  
**Sent:** Wednesday, February 12, 2020 7:57 AM  
**To:** Inman, Celia C; Hale, Gloria  
**Cc:** Flores, Disraeliza; Waller, Martha K  
**Subject:** [External] Yadkin County ACH/SNF

**Importance:** High



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Good morning all:

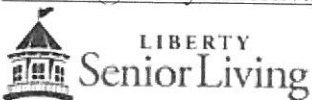
Apparently, all my requests recently are from your county assignments. Thanks in advance for all your help.

Currently, Yadkin Nursing Care Center (NH0224) is licensed for 147 NF beds and The Magnolias Over Yadkin (HAL-099-011) is licensed for 20 ACH beds. They are both licensed as stand-alone buildings. However, all beds are located in the same building. We have just recently started leasing the facilities with expectation to acquire at a future date (See Exemption record number 3160 and 3162 for reference). I wanted to explore the possibility of a no review/exemption letter to combine these two separate licenses as one licensed combination facility. This proposal would not affect the SMFP nor would it affect any current residents.

Please let me know if you need any additional information or want to discuss via phone. Thanks so much!

Regards,

**Timothy J. Walsh**  
Senior Financial Analyst  
2334 S. 41st St  
Wilmington, NC 28403  
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VIA EMAIL ONLY

December 17, 2019

Timothy Walsh  
TWalsh@libertyseniorliving.com

**Exempt from Review – Acquisition of Facility and Change in Operator/Licensee of Facility**

**Record #:** See Attachment A  
**Facility Name:** See Attachment A  
**Type of Facility:** See Attachment A  
**FID #:** See Attachment A  
**Acquisition by:** See Attachment A  
**Business #:** See Attachment A  
**County:** See Attachment A

Dear Mr. Walsh:

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 referenced businesses on the attached list may proceed to acquire the health service facilities identified in the attached list without first obtaining a CON. This attached list also acknowledges the change in operator for the listed facilities. 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 Nursing Home Licensure and Certification and Adult Care Licensure Sections to obtain instructions for changing ownership of the existing facilities.

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,

Celia C. Inman  
Project Analyst

Martha J. Frisoni  
Chief

cc: Nursing Home Licensure and Certification Section, DHSR  
Adult Care Licensure 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  
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<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**Attachment A**

<b>Record #</b>	<b>County</b>	<b>Nursing Facility</b>	<b>Address</b>	<b>FID #</b>	<b>Owner</b>	<b>Bus. ID#</b>	<b>Operator</b>
3155	Brunswick	Liberty Commons Nursing & Rehabilitation Center of Southport LLC	630 Fodale Avenue Southport, NC 28461	923382	Liberty Healthcare Properties of Brunswick County, LLC	1107	Liberty Commons Nursing & Rehabilitation Center of Southport, LLC
3156	Bladen	Elizabethtown Healthcare & Rehabilitation Center	208 Mercer Road Elizabethtown, NC 28337	923150	Liberty Healthcare Properties of Bladen County, LLC	3159	Liberty Commons Nursing and Rehabilitation Center of Bladen County, LLC
3157	Franklin	Louisburg Healthcare & Rehabilitation Center	202 Smoketree Way Louisburg, NC 27549	923313	Liberty Healthcare Properties of Franklin County, LLC	3160	Liberty Commons Nursing and Rehabilitation Center of Franklin County, LLC
3158	Moore	Pinehurst Healthcare & Rehabilitation Center	300 Blake Boulevard Pinehurst, NC 28374	923403	Liberty Healthcare Properties of Moore County, LLC	3161	Liberty Commons Nursing and Rehabilitation Center of Moore County, LLC
3159	Person	Roxboro Healthcare & Rehabilitation Center	901 Ridge Road Roxboro, NC 27573	923437	Liberty Healthcare Properties of Person County, LLC	3162	Liberty Commons Nursing and Rehabilitation Center of Person County, LLC
3160	Yadkin	Yadkin Nursing Care Center	903 West Main Street Yadkinville, NC 27055	923574	Liberty Healthcare Properties of Yadkin County, LLC	3163	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC
	<b>County</b>	<b>Adult Care Facility</b>	<b>Address</b>	<b>FID #</b>	<b>Owner</b>		<b>Operator</b>
3161	Franklin	Louisburg Manor	114 Smoketree Way Louisburg, NC 27549	920691	Liberty Assisted Living Properties of Franklin County, LLC	3164	Liberty Commons Assisted Living of Franklin County, LLC
3162	Yadkin	The Magnolias Over Yadkin	144 North Lee Ave. Yadkinville, NC 27055	010281	Liberty Healthcare Properties of Yadkin County, LLC	3163	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC



# Liberty Healthcare Management

2334 S. 41<sup>st</sup> Street • Wilmington, NC 28403  
(910) 815-3122 • FAX: (910) 815-3111



December 13, 2019

VIA EMAIL ONLY

Celia Inman, Project Analyst  
Mike McKillip, Project Analyst  
Tanya Saporito, 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 nursing home and adult care home facilities by Liberty

To Whom It May Concern:

In accordance with North Carolina G.S. 131E-184(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”).

Liberty would like to make it known that we are entering into lease agreements of the NF and ACH facilities to operate the buildings. Over the next few years, closing on the acquisitions will take place.

Please see the list below displaying the facility name, address, county, license number, new owner, and new operator. The owner is the new proposed owner of the actual building, and the operator is the proposed operator of the nursing home or adult care home facility.

### Nursing Facilities

Facility Name	Address	County	License #	Owner	Operator
Liberty Commons Nursing & Rehabilitation Center of Southport LLC	630 Fodale Avenue, Southport, NC 28461	Brunswick	NH0322	Liberty Healthcare Properties of Brunswick County, LLC	Liberty Commons Nursing & Rehabilitation Center of Southport, LLC
Elizabethtown Healthcare & Rehabilitation Center	208 Mercer Road, Elizabethtown, NC 28337-1449	Bladen	NH0328	Liberty Healthcare Properties of Bladen County, LLC	Liberty Commons Nursing and Rehabilitation Center of Bladen County, LLC
Louisburg	202 Smoketree Way,	Franklin	NH0264	Liberty Healthcare	Liberty Commons

Healthcare & Rehabilitation Center	Louisburg, NC 27549-0629			Properties of Franklin County, LLC	Nursing and Rehabilitation Center of Franklin County, LLC
Pinehurst Healthcare & Rehabilitation Center	300 Blake Boulevard, Pinehurst, NC 28374	Moore	NH0294	Liberty Healthcare Properties of Moore County, LLC	Liberty Commons Nursing and Rehabilitation Center of Moore County, LLC
Roxboro Healthcare & Rehabilitation Center	901 Ridge Road, Roxboro, NC 27573	Person	NH0265	Liberty Healthcare Properties of Person County, LLC	Liberty Commons Nursing and Rehabilitation Center of Person County, LLC
Yadkin Nursing Care Center	903 West Main Street, Yadkinville, NC 27055-0879	Yadkin	NH0224	Liberty Healthcare Properties of Yadkin County, LLC	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC

### Adult Care Home Facilities

Facility Name	Address	County	License #	Owner	Operator
Louisburg Manor	114 Smoketree Way, Louisburg, NC 27549	Franklin	HAL-035-003	Liberty Assisted Living Properties of Franklin County, LLC	Liberty Commons Assisted Living of Franklin County, LLC
The Magnolias Over Yadkin	144 North Lee Avenue, Yadkinville, NC 27055	Yadkin	HAL-099-011	Liberty Healthcare Properties of Yadkin County, LLC	Liberty Commons Nursing and Rehabilitation Center of Yadkin County, LLC

The proposed transfer of ownership will not materially affect the State Health Plan Services for nursing homes or adult care homes. 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  
 Liberty Healthcare Management, Inc.  
[TWalsh@LibertyHCare.com](mailto:TWalsh@LibertyHCare.com)  
 (910) 332-1982