



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

December 28, 2021

Timothy J. Walsh
TWalsh@libertyseniorliving.com

Exempt from Review – Acquisition of Facility

Record #: 3768
Date of Request: December 21, 2021
Facility Name: Oak Forest Health & Rehabilitation
Type of Facility: NH
FID #: 933496
Acquisition by: Liberty Healthcare Properties of Forsyth County, LLC
Business #: 3497
County: Forsyth

Dear Mr. Walsh:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that the project described above is exempt from certificate of need (CON) review in accordance with G.S. 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 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 G.S. 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."*

If the business listed above does acquire the facility, you should contact the Agency's Nursing Home 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 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

Micheala Mitchell
Chief

cc: Nursing Home 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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



Liberty Healthcare Management

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

December 21, 2021

VIA EMAIL ONLY

Celia Inman, 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 Oak Forest Health and Rehabilitation by Liberty Healthcare Properties of Forsyth County, LLC

Dear Ms. Inman:

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”).

It is the intent of Liberty Healthcare Properties of Forsyth County, LLC (the “Buyer”) to acquire Oak Forest Health and Rehabilitation from North Carolina Baptist Hospital Foundation (the “Seller”). The details of the license are as follows:

- Licensee: Liberty Healthcare Group, LLC
- Facility ID: 933496
- License Number: NH0548

The proposed transfer of ownership will not materially affect the State Health Plan Services for nursing homes. Accordingly, we respectfully request an exemption from CON review.

Thank you in advance for your assistance and please let me know if you have any questions.

Best Regards,

Timothy Walsh
Liberty Healthcare Management, Inc.
TWalsh@LibertyHCare.com

From: [Timothy J. Walsh](#)
To: [Inman, Celia C](#)
Cc: [Alicia Dell Wilson](#); [Waller, Martha K](#)
Subject: [External] Oak Forest Health and Rehabilitation - Exemption Request
Date: Tuesday, December 21, 2021 4:26:51 PM
Attachments: [Oak Forest Health and Rehabilitation - Exemption Letter to CON Section 12212021.pdf](#)

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Good afternoon Celia:

Please find attached letter 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”) regarding the acquisition of Oak Forest Health and Rehabilitation. We are preparing closing by December 30, 2021.

Please let me know if you need any further details. Have a wonderful Holiday Season!

Regards,

Timothy J. Walsh

Senior Financial Analyst

Liberty Senior Living

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