



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 17, 2021

Tamara Clark  
[TClark@unitedmethodistwomen.org](mailto:TClark@unitedmethodistwomen.org)

**No Review**

**Record #:** 3479  
**Date of Request:** January 8, 2021  
**Facility Name:** Brooks-Howell Home  
**FID #:** 923041  
**Business Name:** United Methodist Women  
**Business #:** 3336  
**Project Description:** Seek Medicare certification for 58 existing, licensed nursing home beds and Medicaid certification for up to 56 of the licensed nursing home beds, and make necessary renovations to the facility to meet certification standards  
**County:** Buncombe


Dear Ms. Clark:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the project described above. Based on the CON law **in effect on the date of this response to your request**, the project as described 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.

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,

  
Ena Lightbourne  
Project Analyst



Lisa Pittman  
Assistant Chief, Certificate of Need

cc: Construction Section, DHSR  
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  
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January 8, 2021

Ms. Martha Frisone, Chief  
Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
2704 Mail Service Center  
Raleigh, NC 27699-2704

**RE: United Methodist Women d/b/a Brooks-Howell Home – No Review  
Request – Apply for Medicare Certification**

Facility: Brooks-Howell Home  
FID #: 923041  
License #: NH0107  
County: Buncombe

Dear Ms. Frisone:

This letter serves as notification of United Methodist Women's d/b/a Brooks-Howell Home's intent to seek Medicare certification for its 58 nursing facility beds as well as to undertake renovations necessary for the facility to meet relevant code standards to be capable of being certified.

Brooks-Howell Home is a skilled nursing facility located at 266 Merrimon Avenue, Asheville, North Carolina, Facility ID Number 923041. Brooks-Howell Home is licensed by the North Carolina Department of Health and Human Services, Division of Health Service Regulation (the Agency) for 58 nursing facility beds, License Number NH0107. Although Brooks-Howell Home is licensed by the North Carolina Department of Insurance as a continuing care retirement community (CCRC), only two of Brooks-Howell Home's 58 nursing facility beds were developed under the CCRC exemption (Policy NH-2) set forth in the *State Medical Facilities Plan*.<sup>1</sup> As such, Brooks-Howell Home's remaining 56 nursing facility beds are not "closed" beds and are available to the general public.

Currently, none of Brooks-Howell Home's nursing facility beds are dually certified or certified for participation in the Medicare program only or the North Carolina Medicaid

<sup>1</sup> In accordance with Policy NH-2, these two nursing facility beds are excluded from the planning inventory in the *State Medical Facilities Plan* and cannot be certified for participation in the Medicaid program. These two "closed" beds may only take admissions from the facility's residents.

program only. Brooks-Howell Home now intends to apply for Medicare certification for its 58 nursing facility beds. In addition, Brooks-Howell Home may also elect to apply for Medicaid certification for its nursing facility beds that are available to the general public.

Please note that certain renovations are necessary in order for the physical facility to meet relevant code standards and to be capable of being certified. As documented in the letter from Timothy J. Mueller, AIA, President and Director of Seniors Design, attached hereto as Exhibit 1, the costs associated with such renovations are less than two million dollars and as such do not require Certificate of Need review or approval.

Based on the above facts, no Certificate of Need is required for Brooks-Howell Home's proposal. That said, we are requesting that you confirm in writing that that no Certificate of Need is required for Brooks-Howell Home to seek Medicare certification for its 58 nursing facility beds that are currently licensed-only beds or for Brooks-Howell Home to seek Medicaid certification for its nursing facility beds that are available to the general public. Officials from the Nursing Home Licensure and Certification Section, who will review the facility's application for certification, have advised us that they require such a letter from the Agency to process the certification application.

Please let me know if you require any additional information.

Blessings,



Tamara Clark  
Treasurer/CFO

cc. Carole Gilham, Executive Director, Brooks-Howell Home  
Wayne Moy, Director of Property Management and Business Analysis

# Exhibit 1



December 14, 2020

Ms. Tamara Clark, CPA  
Treasurer/CFO  
United Methodist Women

Ms. Carole Gilham, NHA  
Business Director/Healthcare Administrator  
Brooks Howell Home  
266 Merrimon Avenue,  
Asheville, NC 28801

Re: **Preliminary Costs - Brooks Howell Home**  
SFCS Commission No. 19130.00

Dear Martha & Carole:

As you know, our team completed a study for the potential renovations and improvements to your skilled care to meet current skilled nursing standards to allow Brooks Howell Home to provide a range of services.

We have studied the renovation and convertibility of your current skilled nursing to allow for the possibility of improving the current building to provide rehabilitation services with Medicare Part A reimbursement for your residents. The main building comprised of skilled nursing, independent living, wellness and common space is primarily noncombustible construction, consisting of block and plank structure with steel columns and beams in open areas and metal stud infill walls. A thorough code review was completed by Masters & Gentry Architects in August of 2014 that gives a basis for understanding how the existing mixed-use building is currently being utilized. In the renovation, we would propose potential changes/modifications to address life safety. We provided an overall framework for how the life safety plans can be accomplished under the current NC licensure requirements and the 2019 International Building Code adopted by NC in April of 2018.

After studying the potential components of the renovation we created a high level estimate that has been verified by a regional contractor and we believe that the costs will be around \$1.8M or under two million dollars.

United Methodist Women - Brooks Howell Home

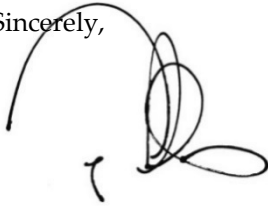
SFCS Commission No. 19130.00

December 14, 2020

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Please let us know if you require any additional information.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Timothy J. Mueller, AIA

President / Director of Seniors Design

NC License: 8775