



NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor

KODY H. KINSLEY • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

June 10, 2022

Robert Leandro, Parker Poe  
robbleandro@parkerpoe.com

**No Review**

**Record #: 3918**

Date of Request: May 26, 2022

Facility Name: Brian Center Health & Rehabilitation/Gastonia

FID #: 923002

Business Name: Brian Center Health Care & Rehabilitation Center Gastonia

Business #: 3560

Project Description: Change in licensed operator

County: Gaston

Dear Mr. Leandro:

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,

*Donna Donihi*

Donna Donihi  
Project Analyst

*Micheala Mitchell*

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

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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



**Robert A. Leandro**

**Partner**

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May 26, 2022

**VIA ELECTRONIC MAIL**

Micheala Mitchell, Chief  
Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
[micheala.mitchell@dhhs.nc.gov](mailto:micheala.mitchell@dhhs.nc.gov)

Re: Skilled Nursing Facility Change In Licensee

Dear Ms. Mitchell:

Our firm represents Greens at Gastonia LLC (“Gastonia”). This letter is intended to provide the Healthcare Planning and Certificate of Need Section (the “Agency”) with prior written notice that our client plans to become the licensee of the skilled nursing facility licensed by SSC Gastonia Operating Company LLC d/b/a Brian Center Health and Rehabilitation/Gastonia, License No. NH0228 (the “Facility”), which is located at 969 Cox Road, Gastonia, North Carolina 28054. The change in licensure is scheduled to occur on July 1, 2022. Gastonia will be the operator and licensee of the Facility. The ownership of the bricks and mortar of the building will not change.

We understand that under North Carolina law, a change in the licensee does not require a CON and that by providing this notice, Gastonia’s acquisition of the rights to operate the Facility is exempt from any review by the CON Section.

Gastonia requests that the CON Section confirm in writing that this change in licensee is not subject to CON review. If you have any questions, please feel free to give me a call. I greatly appreciate your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads 'Robt A. Leandro'.

Robert A. Leandro

cc: Lisa Pittman, Assistant Chief, [Lisa.Pittman@dhhs.nc.gov](mailto:Lisa.Pittman@dhhs.nc.gov)

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