



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 A. Leandro
robbleandro@parkerpoe.com

No Review

Record #: 3925
Date of Request: May 31, 2022
Facility Name: Brian Center Health and Rehabilitation/Spruce Pine
FID #: 952989
Business Name: Greens at Spruce Pines LLC
Business #: 3565
Project Description: Change in operator/licensee
County: Mitchell

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,

Ena Lightbourne, 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
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AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



Robert A. Leandro

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Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

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

Re: Skilled Nursing Facility Change In Licensee

Dear Ms. Mitchell:

Our firm represents Greens at Spruce Pines LLC (“Spruce Pines”). 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 Spruce Pine Operating Company LLC d/b/a Brian Center Health & Rehabilitation/Spruce Pine, License No. NH0433 (the “Facility”), which is located at 218 Laurel Creek Court, Spruce Pine, North Carolina 28777. The change in licensure is scheduled to occur on July 1, 2022. Spruce Pines 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, Spruce Pines’ acquisition of the rights to operate the Facility is exempt from any review by the CON Section.

Spruce Pines 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

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