



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

March 14, 2023

Andy Page  
Andy.page@forvis.com

**Exempt from Review – Acquisition of Facility**

**Record #:** 4143  
**Date of Request:** February 16, 2023  
**Facility Name:** Senior Citizen's Home  
**Type of Facility:** Nursing Home  
**FID #:** 923449  
**Acquisition by:** Henderson SCH Operating LLC  
**Business #:** 3680  
**County:** Vance

Dear Mr. Page

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,

Cynthia Bradford  
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

February 9, 2023

Micheala Mitchell, Chief, Healthcare Planning and Certificate of Need  
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

Dear Ms. Mitchell:

In accordance with North Carolina Gen. Stat. § 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").

Henderson SCH Operating LLC has entered into a letter of intent and are currently negotiating the asset purchase agreement to acquire the assets of the following skilled nursing facility:

Senior Citizen's Home Inc.  
2275 Ruin Creek Road, Henderson, NC, 27537  
License Number: NH0477  
Nursing Facility Beds Total: 60  
Adult Care Home Beds Total: 54

The purchase qualifies under the exemption from CON Section review set forth at. Please allow this letter to serve as the advance written notice required by N.C. G.S. § 131E-184(a)(8). Accordingly, we respectfully request an exemption from CON review by the Agency. Thank you for your time and attention to this matter. Please contact me if you have any questions.

Sincerely,

Eli Klein  
Member - Henderson SCH Operating LLC

A handwritten signature in blue ink, appearing to read 'Eli Klein', is located at the bottom of the page.

**From:** [Mitchell, Micheala L](#)  
**To:** [Stancil, Tiffany C](#)  
**Subject:** Fw: [External] CON Exemption - CHOW  
**Date:** Thursday, February 16, 2023 5:35:05 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[Notice of CHOW.pdf](#)

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Tiffany would you mind logging this as a no review and assigning to Cindy?

Thanks

Micheala Mitchell, JD  
[NC Department of Health and Human Services](#)  
[Division of Health Service Regulation](#)  
Section Chief, Healthcare Planning and CON Section  
809 Ruggles Drive, Edgerton Building  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
Office: [919 855 3879](tel:9198553879)  
[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)

Don't wait to vaccinate. Find a COVID-19 vaccine location near you at [MySpot.nc.gov](https://MySpot.nc.gov).  
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**From:** Page, Andy <[Andy.Page@forvis.com](mailto:Andy.Page@forvis.com)>  
**Sent:** Thursday, February 16, 2023 5:28 PM  
**To:** Mitchell, Micheala L <[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)>  
**Subject:** [External] CON Exemption - CHOW

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Micheala – please see attached letter providing notice of a change of ownership and requesting an exemption to the CON process. Please let me know if you need anything else, or if I should send this to someone else on your team.

Thanks so much!  
Andy

## Andy Page, CPA

Partner

Practice Leader - Healthcare Regulatory & Reimbursement

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