



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

April 12, 2024

Timothy Walsh

TWalsh@libertyseniorliving.com

No Review

Record #: 4399
Date of Request: March 12, 2024
Facility Name: Liberty Home Care and Hospice
FID #: 050521
Business Name: Liberty Home Care II, LLC
Business #: 2299
Project Description: Expand hospice services to Surry and Buncombe counties
County: Davidson

Dear Mr. Walsh:

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: Acute and Home Care 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 HEALTH

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

March 12, 2024

VIA EMAIL ONLY

Gloria Hale, Team Leader
Ena Lightbourne, 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: REQUEST OF NO REVIEW – Provision of hospice home care services to Surry and Buncombe County residents by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice

Dear Gloria and Ena,

Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice, is a Medicare-certified hospice agency serving North Carolina patients from its location at 5 East Main Street, Thomasville, NC, 27360, in Davidson County.

We are writing to seek confirmation that a Certificate of Need (“CON”) is not necessary for our agency to extend hospice home care services to patients residing in Surry and Buncombe Counties.

Hospice home care services are essential for patients requiring hospice care outside of traditional inpatient facilities, such as their private residences, nursing homes, or hospitals. Liberty Home Care and Hospice seeks to extend these services to individuals in Surry and Buncombe County.

Upon thorough examination of relevant North Carolina statutes, particularly North Carolina General Statute 131E-176(16a), which stipulates a CON requirement for the establishment of new health service facilities, we wish to affirm that Liberty Home Care and Hospice's intended expansion does not fall under this requirement. Furthermore, as per North Carolina General Statute 131E-176(9b), defining a "health service facility," our proposal does not involve the construction or development of a hospice office, hospice inpatient facility, or hospice residential care facility. Instead, our services will be provided from our existing office in Thomasville, NC.

In light of the above, Liberty Home Care and Hospice respectfully requests the Healthcare Planning and Certificate of Need Section to acknowledge that our agency may extend hospice home care services to residents of Surry and Buncombe County.

Thank you for your attention to this matter. We are grateful for your cooperation and understanding as we strive to deliver essential healthcare services to our community.

Best Regards,

A handwritten signature in black ink that reads "Timothy Walsh". The signature is written in a cursive style with a large initial 'T' and a stylized 'W'.

Timothy Walsh
Director of Business Development
Liberty Senior Living
TWalsh@libertyseniorliving.com
(910) 332-1982

From: [Lightbourne, Ena](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] No Review Request by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice
Date: Wednesday, March 13, 2024 10:43:47 AM
Attachments: [LHC II - Hospice No Review Letter to CON for Thomasville Expanded Services to Buncombe and Surry \(2024-03-12 - SUBMITTAL\).pdf](#)

Tiffany, can you log? Thanks.

Ena Lightbourne
Project Analyst, CON
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
[NC Department of Health and Human Services](#)

(I am in the office Thursdays and Fridays. I am working remotely on the other days, therefore email is typically the best way to reach me.)

Main: 919-855-3873
Ena.lightbourne@dhhs.nc.gov

809 Ruggles Drive, Edgerton Building
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Raleigh, NC 27699-2704

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From: Timothy J. Walsh <TWalsh@libertyseniorliving.com>
Sent: Tuesday, March 12, 2024 12:11 PM
To: Hale, Gloria <gloria.hale@dhhs.nc.gov>; Lightbourne, Ena <ena.lightbourne@dhhs.nc.gov>
Subject: [External] No Review Request by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice

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Good morning Gloria, Ena:

Please find attached a request of no review for the provision of hospice home care services to Surry and Buncombe County residents by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice.

Please let me know if you need any additional information. Thanks!

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

Office: 910-332-1982

Mobile: 910-512-9191

TWalsh@libertyseniorliving.com

2334 S. 41st Street, Wilmington, NC 28403

Visit our website at www.LibertySeniorLiving.com



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