



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

August 29, 2024

Mary B. Tobin  
[mtobin@polsinelli.com](mailto:mtobin@polsinelli.com)

**Exempt from Review – Acquisition of Facility**

**Record #:** 4512  
**Date of Request:** August 1, 2024  
**Facility Name:** Roanoke Home Care  
**Type of Facility:** Home Health Agency  
**FID #:** 924104  
**Acquisition by:** Adoration Home Health Care Virginia, LLC  
**Business #:** 3849  
**County:** Washington

Dear Ms. Tobin:

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 Acute and Home Care 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,

Yolanda Jackson  
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

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150 N. Riverside Plaza, Suite 3000, Chicago, IL 60606 • (312) 819-1900

August 1, 2024

Mary B. Tobin  
(312) 873-2967  
(312) 275-7694 Fax  
mtobin@polsinelli.com

**VIA ELECTRONIC MAIL AND FED-EX**

[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)

Ms. Micheala Mitchell, Chief  
North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Health Planning and Certificate of Need Section  
2704 Mail Service Center  
Raleigh, NC 27699-2704

**Re: Exemption Notice for Acquisition of Martin-Tyrrell-Washington Dist.  
Health Dept. d/b/a Roanoke Home Care  
North Carolina Home Care Agency License No. HC0523, Facility ID  
954104**

Dear Ms. Mitchell,

I am writing on behalf of our client, Adoration Home Health Care Virginia, LLC ("Adoration"), to provide notice to the N.C. Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section ("the Agency") of Adoration's intent to acquire Roanoke Home Care (License Number HC0523) located at 198 NC Hwy. 45 North, Plymouth, NC, 27962 from the Martin-Tyrrell-Washington Dist. Health Department.

The parties are working towards closing on September 1, 2024. As you know, the CON law provides that upon receiving prior written notice, the CON Section shall exempt from CON review the acquisition of "an existing health service facility, including equipment owned by the health service facility at the time of acquisition." N.C. Gen. Stat. § 131E-184(a)(8). A home health agency office is a health service facility. Id. at § 131E-176(9b). The Transaction will also not result in the development or establishment of any new health service facility, nor will it result in the offering, development, or establishment of any institutional health service that is not exempt in connection with this Transaction.

Atlanta | Boston | Chattanooga | Chicago | Dallas | Denver | Fort Lauderdale | Houston  
Kansas City | Los Angeles | Miami | Nashville | New York | Phoenix | Raleigh | Salt Lake City  
San Diego | San Francisco | Seattle | St. Louis | Washington, D.C. | Wilmington

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August 1, 2024  
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I would therefore ask to receive written confirmation that the acquisition of the facility listed above is exempt from CON review. Our client is also in communication with the Acute and Home Care Licensure and Certification Section as well as the Division of Medical Assistance regarding this Transaction and will be providing notifications to them separately. Finally, because the parties are working towards closing as soon as possible, we would appreciate if you would contact me promptly should you have any questions or concern regarding the Transaction.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary B. Tobin".

Mary B. Tobin

**From:** [Mitchell, Micheala L](#)  
**To:** [Waller, Martha K](#)  
**Subject:** Fw: [External] Notices of Exempt Acquisition HC 0523, HC 0524, HC 0525  
**Date:** Thursday, August 1, 2024 9:56:44 PM  
**Attachments:** [North Carolina Notice of Exempt Acquisition - HC 0525 \(96773298v1\)-c.pdf](#)  
[North Carolina Notice of Exempt Acquisition - HC 0524 \(96773256v1\)-c.pdf](#)  
[North Carolina Notice of Exempt Acquisition - HC 0523 \(96773168v1\)-c.pdf](#)

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Martha would you mind logging this in the correspondence log and assigning to the appropriate analyst(s)?

The counties, in order of each letter, are Martin, Tyrell and Washington. 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  
[Micheala.Mitchell@dhhs.nc.gov](mailto:Micheala.Mitchell@dhhs.nc.gov)

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**From:** Mary Tobin <MTobin@Polsinelli.com>  
**Sent:** Thursday, August 1, 2024 5:00 PM  
**To:** Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>  
**Subject:** [External] Notices of Exempt Acquisition HC 0523, HC 0524, HC 0525

**CAUTION:** External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Ms. Mitchell,

Please see attached notices of exempt acquisition for three (3) licensed home care agencies in North Carolina.

We are also sending these notices via Fed-Ex and you should receive shortly. Please let me know if you have any questions or need additional information.

**Mary Tobin**

*Associate*

[mtobin@polsinelli.com](mailto:mtobin@polsinelli.com)

**312.873.2967**

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