



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

May 1, 2024

Maureen Demarest Murray

MMurray@foxrothschild.com

Exempt from Review – Acquisition of Facility

Record #: 4426
Date of Request: April 8, 2024
Facility Name: Carolina Caring, Inc.
Type of Facility: Hospice
FID #: 923865
Acquisition by: Carolina Caring Serious Illness, LLC
Business #: 3808
County: Catawba

Dear Ms. Murray:

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 and become the operator of the facility 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,

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



230 N. Elm St.
Suite 1200
Greensboro, NC 27401
☎ 336.378.5200 📠 336.378.5400
WWW.FOXROTHSCHILD.COM

MAUREEN DEMAREST MURRAY
Direct No: 336.378.5258
Email: MMurray@Foxrothschild.com

April 8, 2024

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

Attention: Ena Lightbourne ena.lightbourne@dhhs.nc.gov
Gloria Hale Gloria.Hale@dhhs.nc.gov

Re: Notice of Exempt Acquisition of Carolina Caring, Inc.
License # HOS0367
Facility FID # 923865

Dear Ms. Lightbourne and Ms. Hale:

We are writing on behalf of Carolina Caring Serious Illness, LLC. Pursuant to N.C.G.S. § 131E-184 (a)(8), Carolina Caring Serious Illness, LLC hereby gives prior written notice of its plan to acquire the existing licensed hospice home service agency, which is currently owned and operated Carolina Caring, Inc. and known as Carolina Caring (“Carolina Caring Hospice Agency”), including any equipment owned by Carolina Caring Hospice Agency at the time of acquisition. Carolina Caring Hospice Agency is an existing licensed health service facility that is located at 3975 Robinson Road, Newton, NC, 28658.

Carolina Caring Hospice Agency is a hospice home care agency as defined in N.C.G.S. § 131E-176 (13a). Hospice home care agencies are included within the definition of health service facility in N.C.G.S. § 131E-176 (9b). Pursuant to N.C.G.S. § 131E-184 (a)(8), the Agency shall exempt from certificate of need review acquisition of an existing health service facility if it receives prior written notice from the entity proposing to acquire the existing health service facility.

Carolina Caring Serious Illness, LLC anticipates completing the acquisition sometime in 2024. Carolina Caring Serious Illness, LLC will become the licensed owner and operator of the existing hospice home care agency and will apply for a newly issued license at the appropriate time when the transfer will become effective. Carolina Caring Serious Illness, LLC wishes to acquire Carolina Caring Hospice Agency as part of an effort to include several hospice entities under a

A Pennsylvania Limited Liability Partnership

new umbrella organization to enhance its services and seek to accomplish efficiencies of operation.

We look forward to receiving from you written acknowledgment of the exemption. Please let us know if you have any questions.

With kind regards,

A handwritten signature in blue ink that reads "Maureen Demarest Murray". The signature is written in a cursive style.

Maureen Demarest Murray

Encls.

MDM:/trh

From: [Lightbourne, Ena](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] Notices of Exempt Hospice Acquisition by Carolina Caring Serious Illness, LLC.
Date: Tuesday, April 9, 2024 9:20:03 AM
Attachments: [Catawba Valley Hospice House Notice of Exempt Acquisition Letter to CON Section.2.24\(155519609.3\)-C.pdf](#)
[Sherrill's Ford Hospice House Notice of Exempt Acquisition Letter to CON Section.2.24\(155519362.3\)-C.pdf](#)
[Carolina Caring Notice of Exempt Acquisition Letter to CON Section.2.24\(155519477.4\)-C.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
2704 Mail Service Center
Raleigh, NC 27699-2704

[Twitter](#) | [Facebook](#) | [YouTube](#) | [LinkedIn](#)

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized State official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to an ongoing State procurement effort, is prohibited by law. If you have received this email in error, please notify the sender immediately and delete all records of this email.

From: Murray, Maureen Demarest <MMurray@foxrothschild.com>
Sent: Monday, April 8, 2024 5:17 PM
To: Lightbourne, Ena <ena.lightbourne@dhhs.nc.gov>; Hale, Gloria <gloria.hale@dhhs.nc.gov>
Subject: [External] Notices of Exempt Hospice Acquisition by Carolina Caring Serious Illness, LLC.

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.

Hi Ena and Gloria,

Hope that your week is off to a good start.

Please see the attached notices of exempt acquisition of existing licensed hospice entities by Carolina Caring Serious Illness, LLC.

Please let us know if you have any questions or need any other information to acknowledge that these anticipated acquisitions are exempt from CON review.

We appreciate your help and prompt consideration.

Kind regards, Maureen

Maureen Demarest Murray

Partner

Health Care Practice Co-Leader



230 N. Elm Street
Suite 1200
Greensboro, NC 27401

[\(336\) 378-5258](tel:(336)378-5258) direct

[\(336\) 378-5400](tel:(336)378-5400) fax

mmurray@foxrothschild.com

Learn about our [new brand](#)

This email contains information that may be confidential and/or privileged. If you are not the intended recipient, or the employee or agent authorized to receive for the intended recipient, you may not copy, disclose or use any contents in this email. If you have received this email in error, please immediately notify the sender at Fox Rothschild LLP by replying to this email and delete the original and reply emails. Thank you.