

North Carolina Department of Health and Human Services Division of Health Service Regulation

Pat McCrory Governor

Aldona Z. Wos, M.D. Ambassador (Ret.) Secretary DHHS

> Drexdal Pratt Division Director

March 14, 2013

Denise M. Gunter 380 Knollwood Street, Suite 530 Winston-Salem, NC 27103

No Review

Facility or Business: Community Home Care of Robeson County, Inc. d/b/a Community Home Care and Hospice

Project Description: Change of location

County:

-Robeson-Columbus mgf 4/3/13

FID #:

100143

Dear Ms. Gunter:

The Certificate of Need Section (CON Section) received your letter of December 27, 2012 regarding the above referenced proposal. Based on the CON law in effect on the date of this response to your request, the proposal described in your correspondence is not governed by, and therefore, does not currently require a certificate of need. However, please note that 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.

Moreover, you need to contact the Acute and Home Care Licensure and Certification Section of the Division of Health Service Regulation to determine if they have any requirements for development of the proposed project.

It should be noted that this determination is binding only for the facts represented by you, Consequently, if changes are made in the project or in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by the Certificate of Need Section. Changes in a project include, but are not limited to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed.

Please contact the CON Section if you have any questions. Also, in all future correspondence you should reference the Facility I.D. # (FID) if the facility is licensed.

Sincerely,

cc: Medical Facilities Planning Section, DHSR

Acute and Home Care Licensure and Certification Section, DHSR

Certificate of Need Section

www.ncdhhs.gov Telephone 919-855-3873 • Fax 919-733-8139 Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603

Mailing Address: 2704 Mail Service Center •Raleigh, NC 27699-2704 An Equal Opportunity/ Affirmative Action Employer



Nelson Mullins

Nelson Mullins Riley & Scarborough LLP

Attorneys and Counselors at Law 380 Knollwood Street / Suite 530 / Winston-Salem, NC 27103 Tel: 336.774.3300 Fax: 336.774.3372

www.nelsonmullins.com

Received by DEC 28 2012

December 27, 2012

Denise M. Gunter Tel: 336.774.3322 Fax: 336.774.3372

denise.gunter@nelsonmullins.com

VIA HAND DELIVERY

Craig R. Smith, Chief
Certificate of Need Section
North Carolina Department of Health and Human Services
Division of Health Service Regulation
809 Ruggles Drive
Raleigh, North Carolina 27603

Re: Change of Location for Community Home Care of Robeson County, Inc. d/b/a Community Home Care and Hospice (Columbus County/Health Service Area V) FID: 100143; License Number HC4028

Dear Craig:

Pursuant to N.C. Gen. Stat. § 131E-184(a), I am writing to advise that Community Home Care of Robeson County, Inc. d/b/a Community Home Care and Hospice, located at 16 Whites Crossing, Suite A, Whiteville, NC 28472 ("Current Location") is relocating to 600 South Madison Street, Suite 102, Whiteville, NC 28472 (the "New Location"). The New Location is approximately 7.45 miles and 13 minutes from the Current Location. Exhibit A. As you may recall, this site was acquired by Community in a settlement with Healthkeeperz. This relocation does not involve any activities that would implicate the definition of "new institutional health service" as that term is defined in N.C. Gen. Stat. § 131E-176(16).

The relocation of this facility is scheduled to occur on January 1, 2013. In advance of this date, I would appreciate your written confirmation that the proposed relocation does not require a CON.

Craig R. Smith December 27, 2012 Page 2

Thank you for your time, and if you have any questions, please do not hesitate to let me know.

With best personal regards.

Sincerely,

Denise M. Gunter

Enclosure (1)