



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

Pat McCrory  
Governor

Richard O. Brajer  
Secretary DHHS

Drexdal Pratt  
Division Director

December 18, 2015

Gutnicki LLP  
4711 Golf Road, Suite 200  
Skokie, IL 60076

**Exempt from Review – Acquisition of Facility**

**Record #:** See Attachment A  
**Facility Name:** See Attachment A  
**Type of Facility:** Nursing Home  
**FID #:** See Attachment A  
**Acquisition by:** Maximus Healthcare Group, LLC  
**Business #:** 2333  
**County:** See Attachment A

To Whom It May Concern:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of December 8, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Maximus Healthcare Group, LLC or its permitted assignee(s) may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Agency's Nursing Home Licensure and Certification Section to obtain instructions for changing ownership of the existing facility. 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."*

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. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Julie Halatek  
Project Analyst

Martha J. Frisone,  
Assistant Chief, Certificate of Need

cc: Nursing Home Licensure and Certification Section, DHHS  
Kelli Fisk, Program Assistant, Healthcare Planning



Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

Telephone: 919-855-3873 • Fax: 919-715-4413

Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603

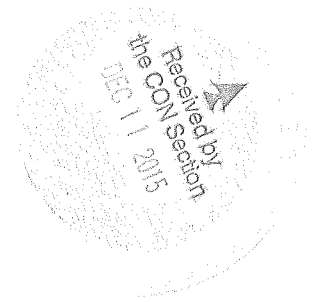
Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

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## ATTACHMENT A

Record #	County	Name of Facility	FID #	Current Owner	Bus. #	Real Property Acquired By:
1812	Haywood	Maggie Valley Nursing & Rehab	090210	Canton Christian Convalescent Center, LLC	2333	Maximus Healthcare Group, LLC
1813	Northampton	Rich Square Health Care	070850	RV Nursing Home, LLC	2333	Maximus Healthcare Group, LLC



December 8, 2015

Ms. Martha Frisone, Assistant Chief  
Certificate of Need  
Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
2704 Mail Center  
Raleigh, NC 27699-2704

Re: **Exemption from Review Request**

Dear Ms. Frisone:

Through a series of transactions the following is intended:

- A. The acquisition by Maximus Healthcare Group, LLC or its permitted assignee(s) of the real property associated with:
- **Maggie Valley Nursing & Rehab**, 75 Fisher Loop, Maggie Valley, NC 28751 from MVRE, LLC; and
  - **Rich Square Health Care**, 300 N. Main Street, Rich Square, NC 27869 from RS Nursing Home Investors, LLC
- B. The transfer of operations to Maximus Healthcare Group, LLC or its permitted assignee(s) at:
- **Maggie Valley Nursing & Rehab**, 75 Fisher Loop, Maggie Valley, NC 28751 from Canton Christian Convalescent Center, LLC;
  - **Rich Square Health Care**, 300 N. Main Street, Rich Square, NC 27869 from RV Nursing Home, LLC;
  - **Asheville Nursing & Rehabilitation Center**, 91 Victoria Road, Asheville, NC 28801 from Healthtique Asheville, LLC;
  - **Winston Salem Nursing & Rehabilitation Center**, 1900 West 1st Street, Winston Salem, NC 27104 from Healthtique Winston Salem, LLC; and
  - **Durham Nursing & Rehabilitation Center**, 411 South LaSalle Street, Durham, NC 27705 from Healthtique Durham, LLC.

In accordance with G.S. 131E-184(a)(8), we request written confirmation that this transaction is not subject to certificate of need review since the buyer is simply acquiring an existing health service facility.

Thank you in advance for your prompt attention to this matter. Should you have any questions, do not hesitate to contact Aaron Rokach at 847-933-9280 ext. 106.

Sincerely,

GUTNICKI LLP