



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

No Review

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) received your letter of December 8, 2015 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.

However, you need to contact the Agency's Nursing Home Licensure and Certification Section to determine if it have any requirements for development of the proposed project.

It should be noted that this determination is binding only for the facts represented in your correspondence. 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 this office. 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.

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

An Equal Opportunity/ Affirmative Action Employer




Please contact this office if you have any questions. Also, in all future correspondence you should reference the Facility ID # (FID) if the facility is licensed.

Sincerely,



Julie Halatek
Project Analyst



Martha J. Frisone
Assistant Chief, Certificate of Need

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

ATTACHMENT A

Record #	County	Name of Facility	FID #	Current Operator	Bus. #	Change of Operator
1814	Haywood	Maggie Valley Nursing & Rehab	090210	Canton Christian Convalescent Center, LLC	2333	Maximus Healthcare Group, LLC
1815	Northampton	Rich Square Health Care	070850	RV Nursing Home, LLC	2333	Maximus Healthcare Group, LLC
1816	Durham	Durham Nursing & Rehabilitation Center	923264	Healthtique Durham, LLC	2333	Maximus Healthcare Group, LLC
1817	Buncombe	Asheville Nursing & Rehabilitation Center	923265	Healthtique Asheville, LLC	2333	Maximus Healthcare Group, LLC
1818	Forsyth	Winston Salem Nursing & Rehabilitation Center	923570	Healthtique Winston Salem, LLC	2333	Maximus Healthcare Group, LLC

ATTACHMENT A

Change of Operator

Record #	County	Name of Facility	FID #	Current Owner	Bus. #	Real Property Acquired-By:
1814	Haywood	Maggie Valley Nursing & Rehab	090210	Canton Christian Convalescent Center, LLC	2333	Maximus Healthcare Group, LLC
1815	Northampton	Rich Square Health Care	070850	RV Nursing Home, LLC	2333	Maximus Healthcare Group, LLC
1816	Durham	Durham Nursing & Rehabilitation Center	923264	Healthtique Durham, LLC	2333	Maximus Healthcare Group, LLC
1817	Buncombe	Asheville Nursing & Rehabilitation Center	923265	Healthtique Asheville, LLC	2333	Maximus Healthcare Group, LLC
1818	Forsyth	Winston Salem Nursing & Rehabilitation Center	923570	Healthtique Winston Salem, LLC	2333	Maximus Healthcare Group, LLC

GUTNICKI LLP

Received by
the CON Section
12/11/2015

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