



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

September 28, 2015

Jeffrey Shovelin
Post Office Box 6028
Greenville, North Carolina 27835-6028

Exempt from Review – Acquisition of Facility


Record #: See Attachment A
Facility Name: See Attachment A
Type of Facility: Home Health and Hospice
FID #: See Attachment A
Acquisition by: Vidant Home Health & Hospice
Business #: 2300
County: See Attachment A

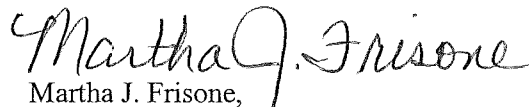
Dear Mr. Shovelin:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of September 10, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, HealthAccess Inc., d/b/a Vidant Home Health and Hospice 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 Acute and Home Care 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,


Jane Rhoe-Jones
Project Analyst


Martha J. Frisone,
Assistant Chief, Certificate of Need

cc: Acute and Home Care Licensure and Certification Section, DHSR
Kelli Fisk, Program Assistant



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

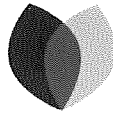
Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

An Equal Opportunity/ Affirmative Action Employer

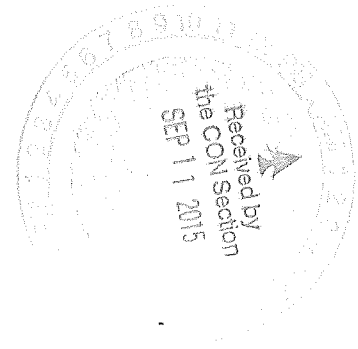


ATTACHMENT A

Name of Agency	FID #	County	Business ID#	Record ID#
Carolina East Home Care & Hospice	041478	Duplin	2300	1750
Carolina East Home Care & Hospice	955703	Wayne	2300	1753



VIDANT HEALTH™



September 10, 2015

Ms. Bernetta Thorne-Williams, Project Analyst
Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Health and Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704

Re: Notice of Exempt Acquisition of Home Health and Hospice Agencies/ Request for "No Review" Letter

Dear Ms. Thorne-Williams,

On October 31, 2015, HealthAccess, Inc. d/b/a Vidant Home Health & Hospice (VH HH&H), a wholly owned subsidiary of University Health Systems of Eastern Carolina, Inc. d/b/a/ Vidant Health (VH), is planning to purchase and receive the full transfer of ownership of Carolina East Home Care and Hospice (CE HC&H), a home health and home hospice provider located in Duplin County (License #HC0053) and a home hospice provider located in Wayne County (License #HOS1302).

CE HC&H's Duplin County agency has its own separate Medicare provider numbers and is not a branch under another agency, nor does it have any branches under its provider numbers. VH HH&H intends to continue to operate the home health and home hospice agency in the same manner as it is today, under its own Medicare provider numbers and not as a branch of VH HH&H.

CE HC&H's Wayne County hospice also has its own separate Medicare provider number and is not a branch under another agency, nor does it have any branches under its provider number. VH HH&H intends to evaluate the best use for this hospice from an organizational and community need perspective following the transaction.

VH HH&H believes the transaction is exempt from Certificate of Need (CON) review. Specifically, § 131E-184 states:

- “(a) Except as provided in subsection (b), the Department shall exempt from certificate of need review a new institutional health service if it receives prior written notice from the entity proposing the new institutional health service, which notice includes an explanation of why the new institutional health services required, for any of the following: (8) To acquire an existing health service facility, including equipment owned by the health service facility at the time of acquisition.”

Each of the two CE HC&H offices meets the definition of a health service facility since, according to § 131E-176(9b), a “health service facility means a... home health agency office [and] hospice office.” Therefore, VH HH&H is requesting that the CON Section issue a letter determining its acquisition of CE HC&H is exempt from CON review. If you have any questions or concerns, please feel free to contact me at (252) 847-3631.

Sincerely,

Jeffrey Shovelin
Director of Corporate Planning
Vidant Health