



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

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Mark Payne
Assistant Secretary for Audit and
Health Service Regulation

July 21, 2016

Paul Boethel
Regency at Pineville
9120 Willow Ridge Road
Charlotte, North Carolina 28210

No Review

Record #:

Facility Name: Regency Retirement Village
FID #: 970591
Business Name: Regency at Pineville
Business #: 2431
Project Description: Renovate three adult care home units to accommodate double-occupancy
County: Mecklenburg

Dear Mr. Boethel:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your letter of July 12, 2016 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 Construction and Adult Care Licensure Sections 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 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.

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.

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



Mr. Paul Boethel
July 21, 2016
Page 2

Sincerely,

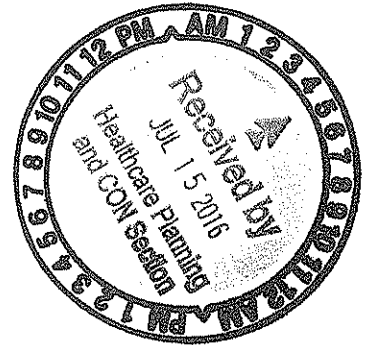


Gloria C. Hale
Project Analyst



Martha J. Frisone,
Assistant Chief, Certificate of Need

cc: Construction Section, DHSR
Adult Care Licensure Section, DHSR
Paige Bennett, Assistant Chief, Healthcare Planning, DHSR



Martha Frisone, Assistant Section Chief
Health Care Planning & Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Health & Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704

7-12-16

Sent via USPS - Certified Mail

Dear Ms. Frisone:

I am writing on behalf of Regency Retirement Village, which is an adult care home facility, located at 9120 Willow Ridge Road, Charlotte, North Carolina 28210 (the "Facility").

The Facility plans to undertake a minor remodeling project where three adult care home units will be converted from single-occupancy to double-occupancy units by adding one set of interior doors and hardware inside of an existing door frame in the living room area of each unit (the "Renovation Project"). The Renovation Project will create double-occupancy units such that two residents occupying the same unit will each have their own private bedroom, while sharing a kitchen and bathroom space. Each bedroom will already have its own heating and cooling system, window, smoke detector, sprinkler head, and closet space. No additional modifications to electrical, plumbing, and other systems are required pursuant to 10A NCAC 13F.0300.

The Renovation Project will not increase the number of licensed beds operated at the Facility. Rather, the Renovation Project will provide the Facility with the flexibility to accommodate one or two residents in the remodeled units depending on the number of residents occupying the other units in the Facility. The Renovation Project will only affect 100 square feet in three units. The total estimated cost of the Renovation Project is only \$ 3500.00.

Pursuant to the applicable statutes and regulations, the Renovation Project does not constitute a "new institutional health service" under Section 131E-176(16) of the North Carolina General Statutes, which would require review and approval by the Certificate of Need Section because the total capital expenditure of the renovation work does not exceed \$2,000,000. *See* 131E-176(16)(b). At your convenience, I would appreciate a response confirming in writing that the Renovation Project is exempt from review by the Certificate of Need Section. If you have any questions or need additional information, please do not hesitate to contact me by phone 214-535-6071 or by email pboethel@elcm.com.

Sincerely,



Paul Boethel

cc: Gloria Hale, Project Analyst

Regency at Pineville 9120 Willow Ridge Rd. Charlotte, NC 28210
P - 704-542-9449 F - 704-542-0776

Hale, Gloria

From: Paul Boethel <pboethel@elcm.com>
Sent: Monday, July 18, 2016 3:44 PM
To: Hale, Gloria
Subject: RE: CON exemption request

Hi Gloria,

Per our conversation, we are not seeking to add beds. We are simply looking to hang doors in three (3) of our units. Those three units could potentially be used down the road in a shared capacity, however, other units that are currently shared, would be used in a private capacity.

At no time would the license number or occupied number of beds be greater than 119.

Hopefully that helps. Let me know if you have any further questions.

Thanks,
Paul

Paul Boethel
Principal
East Lake Capital Management

Ph: 214-535-6071
14241 Dallas Pkwy, Bld 3, 6th Flr
Dallas, TX 75254

From: Hale, Gloria [mailto:gloria.hale@dhhs.nc.gov]
Sent: Monday, July 18, 2016 11:54 AM
To: Paul Boethel <pboethel@elcm.com>
Subject: CON exemption request

Mr. Boethel, our agency is in receipt of your request for an exemption for renovating Regency Retirement Village located in Charlotte, NC. In order for us to respond to your request, we will need additional information. Your letter states that the facility wishes to convert three adult care home units from single-occupancy units to double-occupancy units. It also states that the project will not increase the number of licensed beds operated at the facility.

Please address how many beds are currently in each of these 3 units to be renovated and how many total licensed beds the facility will have at the completion of the proposed project.

Please feel free to contact me should you have any questions. Thank you.

Gloria C. Hale, MPH

Project Analyst Certificate of Need

Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section

North Carolina Department of Health and Human Services

919-855-3873 office

Gloria.Hale@dhhs.nc.gov

809 Ruggles Drive

2704 Mail Service Center

Raleigh, NC 27699-2704



Nothing Compares

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

[Twitter](#) [YouTube](#)

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 e-mail in error, please notify the sender immediately and delete all records of this e-mail.

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.