



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 25, 2016

Gary S. Qualls
K&L Gates LLP
PO Box 14210
Research Triangle Park, NC 27709-4210

No Review

Record #: 2000
Facility Name: Healthy@Home-Albermarle
FID #: 953825
Business Name: Carolinas Medical Center at Home, LLC
Business #: 2433
Project Description: Relocation of Healthy@Home-Albermarle HHA Office within Service Area
County: Stanly

Dear Mr. Qualls:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your letter of July 11, 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 Acute and Home Care Licensure and Certification 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

Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

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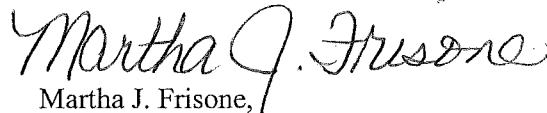
to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed.

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.

Sincerely,



Gregory F. Yakaboski
Project Analyst



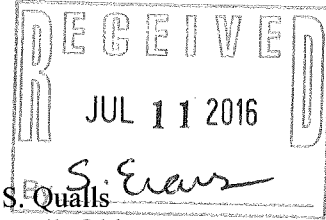
Martha J. Frisone,
Assistant Chief, Certificate of Need

cc: Construction Section, DHSR
Acute and Home Care Licensure and Certification Section, DHSR
Paige Bennett, Assistant Chief, Healthcare Planning, DHSR

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July 11, 2016

Via Hand Delivery

Martha Frisone
Assistant Chief, Certificate of Need
Department of Health and Human Services
Division of Health Service Regulation
Health Planning and Certificate of Need Section
809 Ruggles Drive
Raleigh, North Carolina 27603

Re: No Review Request regarding Healthy@Home-Albemarle relocation of its HHA Office Within Service Area

Dear Ms. Frisone:

We represent Carolinas Medical Center at Home, LLC d/b/a Healthy@Home-Albemarle (“HHA”), a Medicare-certified home health agency office (“HHA Office”) currently located in Stanly County at 907 North Second Street, Albemarle, NC 28001. The purpose of this letter is to inform the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section (the “Agency”) that, on or about August 8, 2016, Healthy@Home-Albemarle plans to relocate its HHA Office to 901 North Second Street, Albemarle, NC 28001, a short distance away in the same city and county.

We are asking that the Agency confirm that this HHA Office relocation is non-reviewable because it does not constitute a new institutional health service. Under North Carolina law, a CON is required only prior to offering or developing a “new institutional health service.” New institutional health services include a variety of services and activities, including a home health agency office. However, relocating existing home health agency offices are reviewable only if either: (1) the cost to relocate the office exceeds \$2 Million;¹ or (2) the office is relocated outside of the agency’s existing service area.²

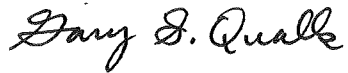
¹ N.C. Gen. Stat. § 131E-176(16)(b).

² N.C. Gen. Stat. § 131E-176(16)(q).

Here, Healthy@Home-Albemarle's HHA Office relocation implicates neither CON trigger. Therefore, please confirm that the relocation is not CON reviewable because it does not constitute a new institutional health service.

If you require additional information, please contact us at the above number. Thank you in advance for your review of this request.

Sincerely,

A handwritten signature in cursive script that reads "Gary S. Qualls".

Gary S. Qualls