



DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER
GOVERNOR

MANDY COHEN, MD, MPH
SECRETARY

MARK PAYNE
DIRECTOR

April 7, 2017

Terrill Johnson Harris
300 N. Greene Street, Suite 1400
Greensboro, NC 27401

Exempt from Review – Acquisition of Facility


Record #: 2219
Facility Name: Chunn's Cove Assisted Living
Type of Facility: Adult Care Home
FID #: 960749
Acquisition by: Laurel Gardens of Asheville, LLC
Business #: 2605
County: Buncombe

Dear Ms. Harris:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of March 29, 2017, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, Laurel Gardens of Asheville, LLC 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 Adult Care Home Licensure Section to obtain instructions for changing ownership of the existing facility. Note that pursuant to N.C. Gen. Stat. §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: Adult Care Licensure Section, DHSR
Paige Bennett, Assistant Chief, Healthcare Planning, DHSR

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION
WWW.NCDHHS.GOV
TELEPHONE 919-855-3873

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





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

VIA U.S. MAIL AND E-MAIL

Re: Notice of Exempt Acquisition of Chunn's Cove Assisted Living by Laurel Gardens of Asheville, LLC, Buncombe County

Dear Ms. Frisone:

This letter provides prior written notice that Laurel Gardens of Asheville, LLC plans to acquire from Ridge Valley Properties, LLC, the existing, licensed adult care home at 67 Mountain Brook Road, Asheville, Buncombe County, North Carolina 28805. Laurel Gardens of Asheville, LLC is acquiring the adult care home facility from Ridge Valley Properties, LLC, and Laurel Gardens of Asheville, LLC plans to lease the facility to the current licensed entity to operate. Following the closing, the current licensee, Chunn's Cove of Asheville, LLC, will remain the licensed operator of the adult care home, and the facility will continue to do business as Chunn's Cove Assisted Living.

The acquisition of "an existing health service facility" is exempt from certificate of need review. N.C. Gen. Stat. § 131E-184(a)(8). As you know, "health service facility" is defined to include an "adult care home." N.C. Gen. Stat. § 131E-176(9b).

Please confirm that Laurel Gardens of Asheville, LLC's acquisition of the adult care home known as Chunn's Cove Assisted Living is exempt from CON review pursuant to N.C. Gen. Stat. § 131E-184(a)(8). We look forward to receiving your confirmation as soon as possible. The parties would like to close the proposed transaction in the next few weeks. Please let us know if you have any questions or need additional information.

Martha Frisone, Assistant Chief, Certificate of Need
March 29, 2017
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With kindest regards, I am

Very truly yours,

SMITH MOORE LEATHERWOOD LLP

A handwritten signature in black ink that reads "Terri Harris".

Terrill Johnson Harris

cc: Tony Bigler