



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

November 21, 2018

Aaron Rokach
4711 Golf Road, Suite 200
Skokie, Illinois 60076

Exempt from Review – Acquisition of Facility

Record #: 2771
Facility Name: Maggie Valley Nursing and Rehabilitation
Type of Facility: Nursing Home
FID #: 090210
Acquisition by: Maggie Valley Realty, LLC
Business #: 2960
County: Haywood


Dear Mr. Rokach:


The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your representations, the above referenced proposal is exempt from certificate of need (CON) review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. The Agency's determination is limited to the question of whether or not the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. 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."*

In the event that the business listed above does acquire the facility, you should contact the Agency's Nursing Home Licensure and Certification Section to obtain instructions for changing ownership of the existing facility.

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 regarding whether or not a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,


Ena Lightbourne
Project Analyst


Martha J. Frisone
Chief, Healthcare Planning and
Certificate of Need Section

cc: Nursing Home Licensure and Certification Section, DHSR
Melinda Boyette, Administrative Assistant, Healthcare Planning, DHSR

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION

HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 2701 Mail Service Center, Raleigh, NC 27699-2701
www.ncdhhs.gov/dhsr/ • TEL: 919-855-3750 • FAX: 919-733-2757



November 2, 2018

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:

Pursuant to an upcoming transaction, it is planned that Maggie Valley Realty, LLC will acquire title to the real property associated with **Maggie Valley Nursing & Rehabilitation**, 75 Fisher Loop, Maggie Valley, NC 28751, a licensed skilled nursing facility. The current owner of real property is MVRE, 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 the land and buildings of 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,

A handwritten signature in black ink, appearing to be the initials "AA" followed by a long horizontal flourish.

GUTNICKI LLP