



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

November 28, 2018

Carmen J. Marzella
200 Pinner Weald Way, Suite 101
Cary, NC 27513

Exempt from Review – Acquisition of Facility

Record #: 2779
Facility Name: Magnolia Gardens of Warrenton
Type of Facility: Adult Care Home
FID #: 921307
Acquisition by: Juliet Okwoshah
County: Warrenton

Dear Ms. Marzella:

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 individual 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 individual would have to obtain a CON if the current owners of the health service facility do in fact sell it to the individual 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 Adult Care Licensure 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,

Bernetta Thorne-Williams

Bernetta Thorne-Williams
Project Analyst

Martha J. Frisone

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

cc: Adult Care Licensure 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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



FID# 921307  
Record# 2779

November 6, 2018



*Via Email- [celia.inman@dhhs.nc.gov](mailto:celia.inman@dhhs.nc.gov)*

Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
Attn: Ms. Celia Inman

**Re: *Exemption Request by Juliet Okwoshah  
Acquisition of Magnolia Gardens of Warrenton  
Address: 930 Highway 158, Business East, Warrenton, NC 27589  
License No.: HAL-093-0005***

Dear Ms. Inman:

On behalf of our client, Juliet Okwoshah, ("Mrs. Okwoshah"), and an entity that we will form on her behalf for operations, we submit this letter to advise the Healthcare Planning and Certificate of Need Section ("CON Section") of a proposed transaction whereby Mrs. Okwoshah will acquire substantially all of the assets of Magnolia Gardens, Inc., ("MG") related to MG's ownership of the 86 bed Adult Care Home facility known as Magnolia Gardens of Warrenton, ("Facility"). The acquisition by Mrs. Okwoshah will include the real estate, building(s), and all CON rights related to the Facility.

Accordingly, the transaction should be determined to be exempt from certificate of need review under N.C. Gen. Stat. § 131E-184(a)(8), as it constitutes the acquisition, by Mrs. Okwoshah, of an existing health service facility from the Facility's current owner.

At present, the plan is for the transaction to close in or about sixty days. Consequently, we would appreciate your earliest possible attention to this matter and confirmation that the proposed acquisition is exempt under N.C. Gen. Stat. § 131 E-184(a)(8).

On behalf of our client, I thank you for your attention to this matter. If you should have any questions or need any additional information, please contact me so that I may respond immediately.

Thank you for your time and consideration.

Sincerely,

**MARZELLA LAW GROUP, PLLC**



**CARMEN J. MARZELLA**  
cmarzella@marzellalawgroup.com

CJM/c

cc: Juliet Okwoshah

# State of North Carolina

Department of Health and Human Services  
Division of Health Service Regulation

*Effective January 1, 2018, this license is issued to*

*Magnolia Gardens, Inc.*

*to operate an Adult Care Home known as*

*Magnolia Gardens of Warrenton*

*located at 930 HWY. 158 Bus. E  
Warrenton, NC, Warren County.*

*This license is issued subject to the statutes of the State of North  
Carolina, is not transferable and shall expire  
December 31, 2018.*

*License Number: HAL-093-005*

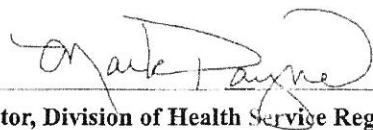
*Capacity: 86*

*Special Care Units: X Yes \_ No      Type: Alzheimer's/Dementia 20*

Authorized by:



Secretary, N.C. Department of Health and  
Human Services



Director, Division of Health Service Regulation