



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

August 15, 2019

Timothy Walsh
2334 S. 41st St.
Wilmington, NC 28403

Exempt from Review – Acquisition of Facility

Record #: 3025
Facility Name: Home Health and Hospice of Halifax
Type of Facility: Home Health and Hospice
FID #: 953847
Acquisition by: Liberty Home Care VI, LLC
Business #: 3084
County: Halifax

Dear Timothy Walsh:

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 Acute and Home Care 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,
[Signature]
Gregory E. Yakaboski
Project Analyst

[Signature]
Martha J. Frisone
Chief

cc: Acute and Home Care Licensure and Certification Section, 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: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
https://info.ncdhhs.gov/dhsr/ • TEL: 919-855-3873

Waller, Martha K

From: Timothy J. Walsh <TWalsh@libertyhcare.com>
Sent: Friday, August 09, 2019 4:43 PM
To: Waller, Martha K
Cc: Frisone, Martha; Yakaboski, Greg
Subject: [External] Request of Exemption - Acquisition of Home Health and Hospice of Halifax by Liberty Home Care VI, LLC
Attachments: LHC VI - Exemption Letter to CON Section for Acquisition of HHH of Halifax_08092019.pdf
Importance: High

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Good afternoon Ms. Waller:

Please let the attachment serve as the official written notice of the proposed acquisition of Home Health and Hospice of Halifax by Liberty Home Care VI, LLC. We respectfully request a letter from the Certificate of Need Section stating that this acquisition is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8).

Thank you in advance for your assistance and please let me know if you have any questions.

Regards,

Timothy J. Walsh
Senior Financial Analyst
Liberty Senior Living
2334 S. 41st St
Wilmington, NC 28403
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Liberty Healthcare Management

Received by Healthcare
AUG 12 2019
Planning & CON Section

2334 S. 41st Street • Wilmington, NC 28403
(910) 815-3122 • FAX: (910) 815-3111

August 9, 2019

VIA EMAIL ONLY

Martha Frisone, Chief
Greg Yakaboski, Project Analyst
Martha Waller, Support Staff
NC Department of Health and Human Services
Division of Health Service Regulation
Healthcare Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: **EXEMPT FROM REVIEW**– Acquisition of Home Health and Hospice of Halifax by
Liberty Home Care VI, LLC

Dear Ms. Frisone, Mr. Yakaboski, and Ms. Waller:

In accordance with North Carolina G.S. 131E-181(a)(8), this letter is intended to request a determination of exemption from Certificate of Need (“CON”) review by the Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (“Agency”).

Currently, Halifax County (“Seller”) owns and operates the state-licensed, Medicare certified Home Health and Hospice of Halifax. The Home Health and Hospice Agency operates under license number HC0765, home health provider number 347004, and hospice Medicare provider number 341583. Pending execution of an Asset Purchase Agreement, Liberty Home Care VI, LLC (“Buyer”) will become the new owner and operator of Home Health and Hospice of Halifax with services in the counties of Halifax, Warren, and Northampton.

The proposed transfer of ownership will not materially affect the State Health Plan Services for Home Health and Hospice Agencies. The transfer of ownership is anticipated to be completed on or about September 3rd, 2019. Accordingly, we respectfully request an exemption from CON review.

Thank you for your time and attention to this matter. Please contact me if you have any questions.

Best Regards,

Timothy Walsh
Senior Financial Analyst
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TWalsh@LibertyHCare.com
(910) 332-1982