

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

MARK PAYNE • Director, Division of Health Service Regulation

September 11, 2019

Lisa Arbuckle 6688 N. Central Expwy Suite 1300 Dallas, TX 75206

## Exempt from Review - Acquisition of Facility

Record #: 3035

Facility Name: Assisted Care of the Carolinas

Type of Facility: Home Health FID #: 943777

Acquisition by: CareSouth HHA Holdings of Greensboro, LLC d/b/a Encompass Home Health

Business #: 2276 County: Greene

## Dear Ms. Arbuckle:

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

Gregory F. Yakaboski

Project Analyst

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





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August 30, 2019

VIA EMAIL Greg. Yakaboski@dhhs.nc.gov

Mr. Greg Yakaboski
Health Service Area VI – Analyst
NC Division of Health Service Regulation
Healthcare Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

RE: Request Exemption from Review to Purchase Provider

Change of Ownership Effective Date: November 1, 2019

RH HomeCare Services, LLC d/b/a AssistedCare of the Carolinas

CON: Greene County

CCN: 34-7252 License #: HC0168 Facility ID: 943777

Dear Mr. Yakaboski,

Effective November 1, 2019, CareSouth HHA Holdings of Greensboro, LLC d/b/a Encompass Health Home Health (buyer) will enter into an asset purchase agreement to acquire the assets of RH HomeCare Services, LLC d/b/a AssistedCare of the Carolinas (seller). The CON approved county for this provider is Greene County.

Please accept this request for an exemption from review to purchase the provider. Once approved, please provide written confirmation of approval to my attention at <u>Lisa.Arbuckle@encompasshealth.com</u>.

Enclosed for your reference are the pre and post-closing corporate ownership organizational charts. Should you have questions or require additional information, please contact me at (469) 621-8681.

Thank you.

Sincerely,

Lisa Arbuckle

Director, Licensing & Enrollment

**Enclosure** 

## Pre-Transaction Organizational Chart RH HomeCare Services, LLC d/b/a AssistedCare of the Carolinas

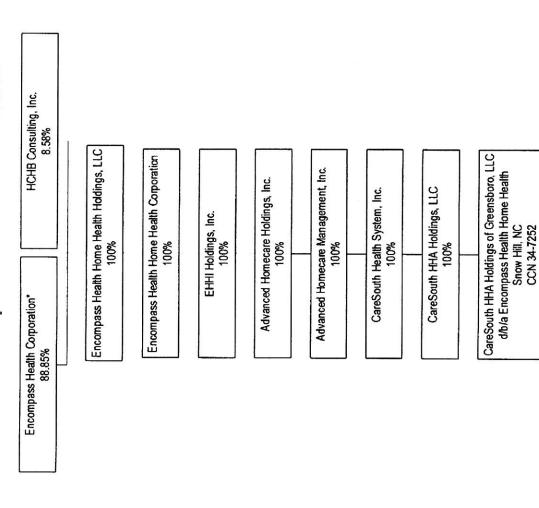
Russell D. Herring 50% Member

LKC Associates, Inc. 50% Member

Roberson Herring Enterprises, LLC 100% Member

RH HomeCare Services, LLC d/b/a AssistedCare of the Carolinas Snow Hill, NC CCN 34-7252

## Post Transaction Organizational Chart CareSouth HHA Holdings of Greensboro, LLC d/b/a Encompass Health Home Health



\*Encompass Health Corporation is a publicly traded company on the New York Stock Exchange (EHC)