



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

VIA EMAIL ONLY

November 2, 2020

Vickie Becker
vbecker@usrenalcare.com

No Review

Record #: 3387
3388
Facility Names: US Renal Care Glenwater Dialysis
US Renal Care Latrobe Dialysis
FID #: 955380
944671
Business Name: Dialysis Newco, LLC
Business #: 3287
Project Description: Changing the form of ownership from a corporation to a limited liability company
County: Mecklenburg

Dear Ms. Becker:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the above referenced proposal. Based on the CON law in effect on the date of this response to your request, the proposal described in that correspondence is not governed by, and therefore, does not currently require a certificate of need. If the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

You may need to contact the Agency's Acute and Home Care Licensure and Certification Section to determine if they have any requirements for development of the proposed project.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Handwritten signature of Julie M. Faenza

Julie M. Faenza
Project Analyst

Handwritten signature of Martha J. Frisone

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

Faenza, Julie M

From: Faenza, Julie M
Sent: Monday, October 26, 2020 7:53 AM
To: Vickie Becker
Subject: RE: [External] RE: Request for response re: change from corporation to LLC

Vickie, that is exactly what I needed and very helpful! Thank you!

Julie M. Faenza, Esq.

Project Analyst, Certificate of Need

[Division of Health Service Regulation](#), [Healthcare Planning and Certificate of Need Section](#)
[NC Department of Health and Human Services](#)

Office: 919-855-3873

Julie.Faenza@dhhs.nc.gov

Pronouns: She/her/hers

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From: Vickie Becker <VBecker@USRENALCARE.COM>
Sent: Wednesday, October 21, 2020 11:25 AM
To: Faenza, Julie M <Julie.Faenza@dhhs.nc.gov>
Subject: [External] RE: Request for response re: change from corporation to LLC

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Yes, US Renal Care, Inc. is the parent company and indirect owner of Dialysis Newco Inc. Dialysis Newco Inc. is the direct owner of these two dialysis facilities. I've attached the organizational chart showing how Dialysis Newco Inc. will change to Dialysis Newco LLC, and where it falls in the ownership structure.

Please let me know if this helps or if you need additional information.

Vickie.



Vickie Becker, MBA/HCM

Legal Department - U.S. Renal Care, Inc.

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Plano, Texas 75024

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From: Faenza, Julie M [<mailto:Julie.Faenza@dhhs.nc.gov>]
Sent: Monday, October 19, 2020 1:37 PM
To: Vickie Becker <VBecker@USRENALCARE.COM>
Subject: Request for response re: change from corporation to LLC

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Ms. Becker,

I am reviewing your request that you sent to Martha Frisone regarding the change in corporate structure for the legal entity which owns US Renal Care Glenwater Dialysis and US Renal Care Latrobe Dialysis. Our records indicate the legal entity for these facilities are US Renal Care, Inc. Your request to Ms. Frisone indicates the legal entity is Dialysis Newco, Inc. Could you please clarify what the ownership structure is for these facilities? To be clear, I am seeking information to make sure I understand what the ownership structure is now compared to what our records show – there's no suggestion that there were any impermissible changes or anything of that nature. I just want to make sure I understand why our records say something different. Thanks!

Julie M. Faenza, Esq.

Project Analyst, Certificate of Need

[Division of Health Service Regulation](#), [Healthcare Planning and Certificate of Need Section](#)
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Julie.Faenza@dhhs.nc.gov

Pronouns: She/her/hers

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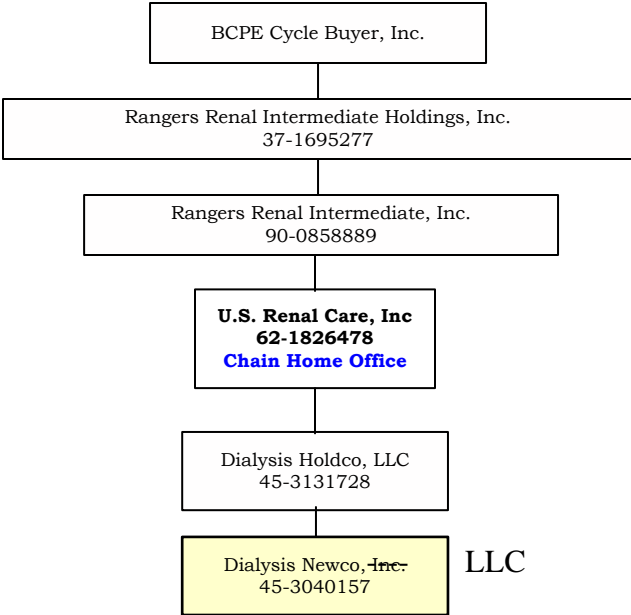
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Post Close Organizational Chart



US Renal Care Glenwater Dialysis and US Renal Care Latrobe Dialysis

From: [Frisone, Martha](#)
To: [Waller, Martha K](#)
Subject: FW: [External] Certificate of Need - Change of Provider from INC. to LLC
Date: Friday, October 16, 2020 1:33:57 PM
Importance: High

This is a no review.

Martha J. Frisone

Chief

[Division of Health Service Regulation](#), Healthcare Planning and Certificate of Need
[NC Department of Health and Human Services](#)

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From: Vickie Becker <VBecker@USRENALCARE.COM>
Sent: Friday, October 16, 2020 12:45 PM
To: Frisone, Martha <martha.frisone@dhhs.nc.gov>
Subject: [External] Certificate of Need - Change of Provider from INC. to LLC
Importance: High

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Good morning – can you provide any notification requirements for a transaction that would change the legal entity provider **from a corporation to a limited liability company**.

Specifically:

Dialysis Newco, Inc.
d/b/a U.S. Renal Care Glenwater Dialysis
Address: 9030 Glenwater Drive, Charlotte, NC 28262

Dialysis Newco, Inc.
d/b/a U.S. Renal Care Latrobe Dialysis
Address: 3515 Latrobe Drive, Charlotte, NC 28211

The provider legal entity would change from Dialysis Newco, **Inc.** to Dialysis Newco, **LLC.** Nothing else related to the provider will change.

Thank you in advance for your input, if there are questions please feel free to contact me.

Vickie.



Vickie Becker, MBA/HCM
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