



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 19, 2020

Ross E. Sallade
rsallade@polsinelli.com

Erin J. Roberts
erin@robertslawnc.com

Exempt from Review – Acquisition of Facility

Record #: 3436
Facility Name: Stanly County Home Health Agency
Type of Facility: Home Health Services
FID #: 954139
Acquisition by: Adoration Home Health Care Virginia, LLC
Business #: 3318
County: Stanly

Dear Mr. Sallade and Ms. Roberts:

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.”

If 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 a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

[Handwritten signature of Misty L. Piekaar-McWilliams]

Misty L. Piekaar-McWilliams
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



555 Fayetteville Street, Suite 720, Raleigh, NC 27601 • (919) 832-1744

November 13, 2020

Ross E. Sallade
919.832.1718
919.832.1794 Fax
rsallade@polsinelli.com

VIA ELECTRONIC MAIL AND U.S. MAIL

Martha.frisone@dhhs.nc.gov

Ms. Martha J. Frisone, Chief
North Carolina Department of Health and Human Services
Division of Health Service Regulation
Health Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

Re: Exemption Notice for Acquisition of Stanly County Home Health Agency (License Number HC0514) – Stanly County

Dear Ms. Frisone:

I am writing on behalf of our client, Adoration Home Health Care Virginia, LLC, d/b/a Advanced Home Health ("Adoration") to provide notice to the N.C. Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section ("the Agency") of Adoration's intent to acquire the Stanly County Home Health Agency (License Number HC0514) located at 1000 North First Street, Suite 3, City of Albemarle, North Carolina, from the Stanly County Health Department. For your convenience, we have included a copy of the license with this letter.

The parties are working towards closing as soon as possible. As you know, the CON law provides that upon receiving prior written notice, the CON Section shall exempt from CON review the acquisition of "an existing health service facility, including equipment owned by the health service facility at the time of acquisition." N.C. Gen. Stat. § 131E-184(a)(8). A home health agency office is a health service facility. Id. at § 131E-176(9b). The Transaction will also not result in the development or establishment of any new health service facility, nor will it result in the offering, development, or establishment of any institutional health service that is not exempt in connection with this Transaction.

I would therefore ask to receive written confirmation that the acquisition of the facility listed above is exempt from CON review. Our client is also in communication with

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Atlanta Boston Chattanooga Chicago Dallas Denver Dunkirk Edwardsville Houston Jefferson City
Kansas City Los Angeles Miami Nashville New York Overland Park Phoenix Raleigh St. Joseph
St. Louis San Francisco Seattle Silicon Valley Washington, D.C. Wilmington

Polsinelli PC, Polsinelli LLP in California



Ms. Martha Frisone
November 13, 2020
Page 2

the Acute and Home Care Licensure and Certification Section as well as the Division of Medical Assistance regarding this Transaction, and will be providing notifications to them separately. Finally, because the parties are working towards closing as soon as possible, we would appreciate if you would contact me promptly should you have any questions or concern regarding the Transaction.

Please also copy the County's counsel, Erin J. Roberts, on any correspondence related to this matter at the following address:

Erin J. Roberts
Roberts Law Office, PA
5 West Hargett Street, Suite 1100
Raleigh, NC 27601
erin@robertslawnc.com

Sincerely,

A handwritten signature in blue ink, appearing to read "Ross E. Sallade".

Ross E. Sallade

RES:bhh

Enclosure

cc: Erin J. Roberts (via electronic mail)

1.05.01.01

State of North Carolina

Department of Health and Human Services
Division of Health Service Regulation

Effective January 01, 2020, this license is issued to
7Stanly County Health Department

to operate an agency known as
Stanly County Home Health Agency

located at 1000 North First Street, Suite 3
City of Albemarle, North Carolina.

This license is issued subject to the statutes of the
State of North Carolina, is not transferable and shall expire
midnight December 31, 2020.

Facility ID: 954139

License Number: HC0514

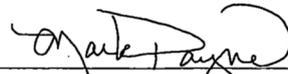
Home Care Services: *Nursing Care, Infusion Nursing, In-home Aide, Medical Social Services, Physical Therapy,
Occupational Therapy, Speech Therapy, Companion, Sitter, Respite*

This agency is authorized to provide Medicare-certified home health services.

Authorized by:



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



Director, Division of Health Service Regulation

From: [Frisone, Martha](#)
To: [Waller, Martha K](#)
Subject: Fwd: [External] Exempt Acquisition for Stanly County Home Health
Date: Friday, November 13, 2020 8:18:27 PM
Attachments: [image003.png](#)
[75516704_1-c.pdf](#)
[Stanly County HH License-c.pdf](#)

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From: Ross Sallade <RSallade@Polsinelli.com>
Sent: Friday, November 13, 2020 8:09:43 PM
To: Frisone, Martha <martha.frisone@dhhs.nc.gov>
Cc: Erin Roberts <erin@robertslawnc.com>; Gary Weitkamp <gweitkamp@vctfirm.com>
Subject: [External] Exempt Acquisition for Stanly County Home Health

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Hi Martha,

I hope this email finds you well in these crazy times. Attached you will find a letter of exempt acquisition for Stanly County Home Health, and a copy of the current license. Our client, Adoration Home Health intends to acquire the assets of agency. We will be certain to get a hard copy of this request in the mail to you on Monday.

Please let me know if you need anything further.

Thanks in advance,
Ross Sallade

Ross Sallade

Shareholder

rsallade@polsinelli.com

919.832.1718

555 Fayetteville Street, Suite 720
Raleigh, NC 27601



Polsinelli PC, Polsinelli LLP in California

polsinelli.com



polsinellihealthcaresolutions.com

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