



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY CORRECTION

January 12, 2022

Deborah Samenow
Deborah.samenow@dlapiper.com

No Review

Record #: 3786
Date of Request: January 7, 2022
Facility Name: Outpatient Surgery Center of Asheville
FID #: 942946
Business Name: HSRE Asheville OSC, LP
Business #: 3493
Project Description: Change in ownership of the real estate (building) only and not the facility health services
County: Buncombe

Dear Ms. Samenow:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the project described above. Based on the CON law in effect on the date of this response to your request, the project as described 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.

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.

This letter replaces the exemption letter, record #3762, that was dated December 21, 2021.

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

Sincerely,

Handwritten signature of Ena Lightbourne

Ena Lightbourne, Project Analyst

Handwritten signature of Micheala Mitchell

Micheala Mitchell, 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
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December 7, 2021

**VIA FEDEX AND EMAIL (ENA.LIGHTBOURNE@DHHS.NC.GOV)**

Ena Lightbourne, Project Analyst  
North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Healthcare Planning & Certificate of Need Section  
Health Service Area I, North Carolina  
2704 Mail Service Center  
Raleigh, NC 27699-2704

**Re: Notice of Exempt Acquisition/No Review Request  
Facility: Outpatient Surgery Center of Asheville  
29 Nettlewood Drive  
Asheville, NC 28803  
FID#: 180266  
Licensee: Orthopaedic Surgery Center of Asheville, LP d/b/a Outpatient Surgery  
Center of Asheville  
License #: AS0038**

Dear Ms. Lightbourne:

We write on behalf of our client Harrison Street Real Estate, LLC, a Delaware limited liability company (“Harrison Street”), which has entered into a Purchase and Sale Agreement with Ryan Companies US, a Minnesota corporation (“Current Owner”), for its affiliate HSRE Asheville OSC, LP, a Delaware limited partner (“New Owner”) to acquire the property located at 29 Nettlewood Drive in Asheville, NC 28803 (the “Facility”), which is currently operated by Orthopaedic Surgery Center of Asheville, LP d/b/a Outpatient Surgery Center of Asheville (“Current Operator”) (the “Proposed Transaction”).