



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

October 3, 2022

Ryan Martin  
[rmartin@hancockdaniel.com](mailto:rmartin@hancockdaniel.com)

**Exempt from Review – Acquisition of Facility**

**Record #:** 4050  
**Date of Request:** September 19, 2022  
**Facility Name:** Valley Hill Health and Rehabilitation Center  
**Type of Facility:** Nursing home  
**FID #:** 923299  
**Acquisition by:** Valley Hill Health and Rehabilitation Center, LLC  
**Business #:** 3611  
**County:** Henderson

Dear Mr. Martin:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that the project described above is exempt from certificate of need (CON) review in accordance with G.S. 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 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 G.S. 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 Nursing Home 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,

Ena Lightbourne  
Project Analyst

for  
Micheala Mitchell  
Chief

cc: Nursing Home 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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**From:** [Lightbourne, Ena](#)  
**To:** "Ryan Martin"  
**Cc:** [Rachel Carey](#); [Waller, Martha K](#)  
**Subject:** RE: [External] Request for CON Exemption for Acquisition in Henderson County  
**Date:** Monday, September 19, 2022 1:30:37 PM  
**Attachments:** [image001.png](#)

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Hi Ryan,

Received. This will be logged as an exemption request.

Thank you.

Ena,

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**From:** Ryan Martin <[rmartin@hancockdaniel.com](mailto:rmartin@hancockdaniel.com)>  
**Sent:** Monday, September 19, 2022 12:59 PM  
**To:** Lightbourne, Ena <[ena.lightbourne@dhhs.nc.gov](mailto:ena.lightbourne@dhhs.nc.gov)>  
**Cc:** [Tiffany.C.Hunt@dhhs.nc.gov](mailto:Tiffany.C.Hunt@dhhs.nc.gov); [Rachel Carey <rcarey@hancockdaniel.com>](mailto:rcarey@hancockdaniel.com)  
**Subject:** [External] Request for CON Exemption for Acquisition in Henderson County

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Good afternoon Ms. Lightbourne,

I am reaching out to you as it is my understanding that you are assigned Certificate of Need ("CON") matters for Henderson County based upon the *North Carolina's Certificate of Need County Assignment Chart* posted on the division's website. Please see our request below for a letter of exemption for an acquisition in Henderson County.

Effective **November 1, 2022**, our client, Valley Hilly Health & Rehab Center d/b/a Valley Hill Health & Rehab Center, is acquiring the nursing facility located at 1510 Hebron Road, Hendersonville, NC 28739, and will require a CON Letter of Exemption. The facility currently operates as Blue Ridge Health and Rehabilitation Center. Valley Hilly Health & Rehab Center d/b/a Valley Hill Health & Rehab Center is acquiring all of the beds and will operate them at the present facility location. Please let me know if you need additional information or if I can answer your questions.

Thank you,  
Ryan

**RYAN M. MARTIN**

HANCOCK, DANIEL & JOHNSON, P.C.  
Richmond Office | 866.967.9604

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