



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

September 7, 2022

Carmen J. Marzella, Esq.
cmarzella@marzellalawgroup.com

Exempt from Review – Acquisition of Facility

Record #: 4017
Date of Request: August 24, 2022
Facility Name: Care One Assisted Living of Greenville
Type of Facility: Adult Care Home
FID #: 990707
Acquisition by: Alpha Care One Assisted Living, LLC
Business #: 3602
County: Pitt

Dear Mr. Marzella:

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 & (Section Name) 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,

Gregory F. Yakaboski, Project Analyst

Micheala Mitchell, Chief

cc: Adult Care Licensure 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



August 23, 2022

Via Email– celia.inman@dhhs.nc.gov

Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
Department of Health and Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704
Attn: Ms. Celia Inman

**Re: *Exemption Request by Care One Assisted Living of Greenville
Address: 2060 West Fifth Street, Greenville, NC 27834***

Dear Ms. Inman:

On behalf of our client, Dr. Juliette Okwoshah, we submit this letter to advise the Healthcare Planning and Certificate of Need Section ("CON Section") of a transaction whereby Dr. Okwoshah has entered into an agreement to acquire all of the assets of Care One Assisted Living of Greenville, LLC, the corporate owner of the above Pitt County facility. The acquisition by Dr. Okwoshah includes the real estate, building(s), and all CON rights related to the Facility.

Accordingly, the transaction should be determined to be exempt from certificate of need review under N.C. Gen. Stat. § 131E-184(a)(8), as it constitutes the acquisition of stock, and thereby a change of owner to by Dr. Okwoshah, of an existing health service facility from Care One Assisted Living of Greenville, LLC.

We would appreciate your earliest possible attention to this matter and confirmation of exemption under N.C. Gen. Stat. § 131 E-184(a)(8).

On behalf of our client, I thank you for your attention to this matter. If you should have any questions or need any additional information, please contact me so that I may respond immediately.

Thank you for your time and consideration.

Sincerely,

MARZELLA LAW GROUP, PLLC

A handwritten signature in black ink, appearing to read 'C. Marzella', is written over a faint, larger version of the Marzella Law Group logo.

CARMEN J. MARZELLA

cmarzella@marzellalawgroup.com

CJM/c

cc: Juliet Okwoshah

Waller, Martha K

From: Carmen J. Marzella, Esq. <cmarzella@marzellalawgroup.com>
Sent: Wednesday, August 31, 2022 8:46 AM
To: Yakaboski, Greg
Cc: juliet@alphahealthservices.com
Subject: [External] Re: Exemption Request re: Care One Assisted Living of Greenville

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Greg,

This will be an asset purchase, by ALPHA CARE ONE ASSISTED LIVING, LLC, a North Carolina limited liability company, whose mailing address is P.O. Box 41153, Raleigh, NC 27629.

This entity will file an Assumed Name to continue use of the facility name, Care One Assisted Living of Greenville.

Thank you.

Carmen

Carmen Joseph Marzella

*Member NC and NJ Bars
Managing Partner*

Marzella Law Group, PLLC
200 Pinner Weald Way, Suite 101
Cary, North Carolina 27513
t: 919-653-8800 ext. 1
m: 919-413-5763
e: cmarzella@marzellalawgroup.com



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(www.marzellalawgroup.com)

From: "Yakaboski, Greg" <greg.yakaboski@dhhs.nc.gov>
Date: Wednesday, August 31, 2022 at 8:16 AM
To: Carmen Marzella <cmarzella@marzellalawgroup.com>
Subject: Exemption Request re: Care One Assisted Living of Greenville

Mr. Marzella,

I am the project analyst handling this exemption request.

Please advise:

#1) The name, address and contact info for the new owner. (Will Dr. Okwoshah be taking ownership in her own name or thru say an LLC? Etc.)

#2) Will the facility name stay the same at the moment or is Dr. Okwoshah "renaming" the facility upon taking ownership?

Thanks,
Greg

Sincerely,

Gregory F. Yakaboski

Gregory F. Yakaboski

Project Analyst

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

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#StayStrongNC and get the latest at nc.gov/covid19

Office: 919-855-3873

Greg.Yakaboski@dhhs.nc.gov

809 Ruggles Drive, Edgerton Building

2704 Mail Service Center

Raleigh, NC 27699-2704

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