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NC Division of Health Service Regulation  
ATTN: NC State Health Coordinating Council  
Healthcare Planning and Certificate of Need Section  
2704 Mail Service Center  
Raleigh, NC 27699-2704

Submitted electronically  
[DHSR.SMFP.Petitions-Comments@dhhs.nc.gov](mailto:DHSR.SMFP.Petitions-Comments@dhhs.nc.gov)

RE: Opposition to LeadingAge North Carolina's Petition for Exemption to Certificate of Need (CON)

Dear Dr. Ullrich and Members of the Council:

Thank you for the opportunity to provide comments on LeadingAge's petition submitted to the State Health Coordinating Council. BAYADA Home Health Care, located at 1760 Country Club Rd Gastonia NC, has been operating under an approved CON since 2012 under Medicare provider 347326. In 2017, we served 842 unduplicated patients from this office.

BAYADA opposes LeadingAge's petition for an exemption to CON and provide the following comments:

- 1. Lack of continuity is but a perception:** We agree that continuity and care coordination is extremely important across our health care continuum. The assertion that a CCRC is not able to effectively support that coordination because they do not have an "in-house" home health agency is false. CCRCs are already coordinating care and services for their residents with physicians, internist, dentist, audiologist, etc. These practitioners and service lines all separately bill for their services. Home health care should not be any different. Unlike SNF services, where CCRCs are required under the facility license, home health care is not part of that facility license requirement. It should not be viewed any differently than any other separately billing provider.
- 2. Freedom of choice would be in jeopardy:** Currently all CCRC residents have choice of providers. BAYADA is concerned with the Petitioner's indication that they would limit choice for their residents (see page 10 of their petition). This limitation is contrary to federal requirements of mandating patient choice. There are no reports of CCRCs residents not having access to needed home health care. Further, Petitioner stated in their testimony that there are no access to care issues for their residents, drawing into question the need for an exemption.

**In closing, BAYADA opposes the Petitioner's exemption request to the established CON.** We appreciate the opportunity to comment on this petition. Should you have any questions my direct line is 704-864-1131. You may also contact Lee Dobson, Area Director of Government Affairs at 919-523-2992.



BAYADA is celebrating its 43rd year and has a 29-year history of providing quality in-home and home health services across North Carolina. In 2017 with 53 offices (9 Medicare-certified), employing more 5,500 staff -including registered nurses, licensed practical nurses, certified nursing assistants, nurse aides, habilitation technicians, social workers, therapists, and office personnel- we have a track record of providing quality home health care services. Health care services delivered in the home are cost effective and patient-preferred. While coping with serious illness, disability, or chronic disease, helping people have a safe home life with comfort, independence, and dignity is part of *The BAYADA Way, our company philosophy and mission.*

Sincerely,

*Tonya Steelman, RN, Director*

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