



Tuesday, August 6, 2024

North Carolina Division of Health Service Regulation Healthcare Planning  
2704 Mail Service Center  
Raleigh, North Carolina 27699-2704

**Re: Opposition to Special Needs Petition by Heart'n Soul Hospice of the Carolinas, LLC**

Committee Members,

I am writing on behalf of Well Care Health ("Well Care") and on behalf of the Association for Home & Hospice Care of NC (AHHNC-NC) to express our firm opposition to the petition filed by Heart'n Soul Hospice of the Carolinas, LLC ("Heart'n Soul"). We offer this letter for your consideration as a family-owned and operated provider of home health and hospice home care services that has served communities across the Carolinas for more than 37 years. Today, we serve 40+ counties in the Carolinas and employ more than 650 team members, with a patient census of more than 4,000 patients.

**In opposing this Special Needs Petition, we would like to specifically express the following points:**

- Well Care reiterates its longstanding support of North Carolina's Certificate of Need framework and its standard need methodology, consistent with the eight licensed hospice home care agencies in Mecklenburg County. The standard need methodology ensures a sufficient number of hospices in Mecklenburg County and all 100 North Carolina counties and that these hospices can provide quality, cost-effective care. Based on available data, another hospice home care agency in Mecklenburg County would not be supported by the statutory principles of access, quality, and value laid out in the CON regulation.
- Approval of this type of Special Needs Petition would undermine North Carolina's well-established Certificate of Need framework and create a slippery slope that would presumably lead to a tidal wave of future Special Needs Petitions focused on specific patient populations. Mecklenburg County is currently served by at least 24 licensed hospice home care agencies, all with ongoing initiatives to increase patient access or promote health equity. North Carolina-licensed hospices are engaged in initiatives to increase hospice utilization among historically underserved populations, including the African American population. These initiatives are required as part of existing hospices' accreditation and Medicare certification.
- The underutilization of hospice by the African American population is a complex and national problem and not unique to Mecklenburg County or North Carolina. While Well Care firmly supports patient access and health equity on behalf of all patient populations, including the African American population, Petitioner fails to demonstrate that its proposed new Special Need Determination is the best path to meet this objective. Specifically, Petitioner fails to (1) show that the established methodology is flawed or fails to provide sufficient access to hospice; (2) articulate why adding another need determination would improve access to hospice or actually decrease utilization disparities.

**For the above reasons, Well Care Health respectfully requests that this petition be denied in the same way that similar petitions have been dismissed in previous years, most recently in 2023.**

Respectfully,

Zac Long  
CEO  
Well Care Health