



North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Certificate of Need Section

2704 Mail Service Center • Raleigh, North Carolina 27699-2704  
<http://www.ncdhhs.gov/dhsr/>

Drexdal Pratt, Director

Beverly Eaves Perdue, Governor  
Albert A. Delia, Acting Secretary

Craig R. Smith, Section Chief  
Phone: (919) 855-3873  
Fax: (919) 733-8139

August 23, 2012

Maureen Demarest Murray  
300 North Greene Street  
Suite 1400  
Greensboro, NC 27401


RE: Exempt from Review / Acquisition of Hanover Medical Specialists, PA –Endoscopy Center (License # ASC0100) by Carolina Healthcare Associates / New Hanover County


Dear Ms. Demarest Murray:

In response to your letter of July 27, 2012, the above referenced proposal is exempt from certificate of need review in accordance with N.C.G.S 131E-184(a)(8). Therefore, Carolina Healthcare Associates may proceed to acquire all of the assets necessary to acquire the Hanover Medical Specialists, P.A. ambulatory surgery center without first obtaining a certificate of need. However, you need to contact the Acute and Home Care Licensure and Certification Section of the Division of Health Service Regulation to obtain instructions for changing ownership of the existing facility. Note that pursuant to N.C.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.*"

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. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

  
Gregory E. Yakaboski  
Project Analyst

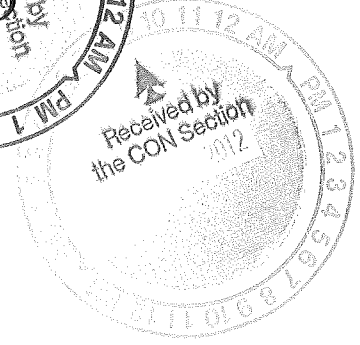
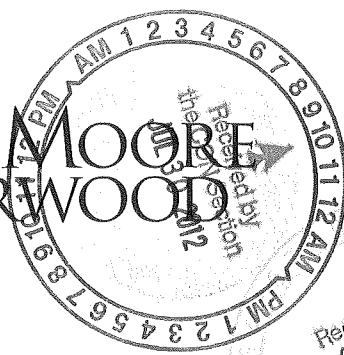
  
Craig R. Smith, Chief  
Certificate of Need Section

cc: Acute and Home Care Licensure and Certification Section, DHSR





SMITH MOORE LEATHERWOOD



July 27, 2012

*Via E-Mail and U.S. Mail*

Mr. Craig R. Smith, Chief  
North Carolina Department of Health Service Regulation  
Certificate of Need Section  
2704 Mail Service Center  
Raleigh, North Carolina 27696-2704

Re: Exemption Notice for Acquisition of Hanover Medical Specialists, P.A –  
Endoscopy Center (License # ASC0100)

Dear Mr. Smith:

We represent Carolina Healthcare Associates, Inc. (“CHA”). This provides written notice of the acquisition by CHA of all assets necessary to operate the Hanover Medical Specialists, P.A ambulatory surgery center located at 1415 Medical Center Drive, Wilmington, NC 28401 with license # AS0100.

Because this simply involves the acquisition of an existing health service facility, it is exempt from certificate of need review under North Carolina General Statute § 131E-184(a)(8). The project does not involve any component that would be considered a “new institutional health service” within some other category of the definition of “new institutional health services.”

We would appreciate receiving written confirmation from your office that this project does not require certificate of need review or a Certificate of Need. If you have any questions, please let us know. We look forward to hearing from you.

With kind regards, I am

Very truly yours,

SMITH MOORE LEATHERWOOD LLP

Maureen Demarest Murray

bcc: Lori Feezor  
Kristoffer Shepard

Maureen Demarest Murray | Direct 336.378.5258 | Fax 336.433.7468 | [maureen.murray@smithmoorelaw.com](mailto:maureen.murray@smithmoorelaw.com)  
Smith Moore Leatherwood LLP ▪ Attorneys at Law ▪ [www.smithmoorelaw.com](http://www.smithmoorelaw.com)  
300 North Greene Street Suite 1400 PO Box 21927 (27420) Greensboro, NC 27401 ▪ 336.378.5200  
Atlanta, GA ▪ Charleston, SC ▪ Charlotte, NC ▪ Greensboro, NC ▪ Greenville, SC ▪ Raleigh, NC ▪ Wilmington, NC