



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
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Drexdal Pratt
Division Director

August, 11 2014

Todd W. Nunn
101 Baines Ct.
Cary, NC 27511

Exempt from Review – Acquisition of Facility

Facility: Peak Resources – Alamance Inc.
Type of Facility: Nursing Facility
Acquisition by: Peak of Graham
County: Alamance
FID #: 923271

Dear Mr. Nunn:

In response to your letter of August 8, 2014, the above referenced proposal is exempt from certificate of need review in accordance with G.S 131E-184(a)(8). Therefore, Peak of Graham may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Nursing Home 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 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,

Celia C. Inman
Project Analyst

Martha J. Frisone, Interim Chief
Certificate of Need Section

cc: Construction Section, DHSR
Nursing Home Licensure and Certification Section, DHSR
Medical Facilities Planning Branch, DHSR



Certificate of Need Section

www.ncdhhs.gov

Telephone: 919-855-3873 • Fax: 919-733-8139

Location: Edgerton Building • 809 Ruggles Drive • Raleigh, NC 27603

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PEAK
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August 8, 2014

Martha Frisone
Acting Chief
Certificate of Need Section
NC Department of Health & Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704



RE: Notice of Exempt Acquisition of Peak Resources Alamance


Dear Ms. Frisone,

The purpose of this letter is to provide prior notice to the NC Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section of Peak of Graham's intent to acquire the real estate and tangible personal property constituting the skilled nursing facility known as Peak Resources Alamance, located at 779 Woody Drive, Graham, NC 27253. The facility is a skilled nursing facility, consisting of one hundred twenty (120) skilled nursing facility beds.

Peak of Graham LLC, is a North Carolina limited liability company created by and wholly owned by Harold and Deborah Jean Nunn. As the current facility operator, Peak Resources Alamance, will remain the facility operator but the real and tangible personal property will now be owned by Peak of Graham LLC. This arrangement will not involve the development of any new health service facility or service or otherwise qualify as a "new institutional health service" in a manner which would require review by the Agency under the State's certificate of need laws. It will also not involve a change in the current licensee of the facility.

The purchaser seeks confirmation that it is permitted to acquire the facility as described without CON review. If any additional information is needed to consider this request please contact me as soon as possible.

Sincerely,


Todd W Nunn
Chief Operating Officer

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