



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

Pat McCrory
Governor

Richard O. Brajer
Secretary DHHS

Mark Payne
Assistant Secretary for Audit and
Health Service Regulation

VIA EMAIL ONLY

January 6, 2016

Janet L. Combs
Gentiva Health Services
12900 Foster, Suite 400
Overland Park, KS 66213

Exempt from Review – Acquisition of Facility

Record #: 1830
Facility Name: Edgecombe HomeCare & Hospice
Type of Facility: Home Care
FID #: 943743
Acquisition by: Capital Care Resources, LLC
Business #: 2251
County: Edgecombe

Dear Ms. Combs:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of December 31, 2015, the above referenced proposal is exempt from certificate of need review in accordance with G.S. 131E-184(a)(8). Therefore, Capital Care Resources, LLC may proceed to acquire the above referenced health service facility without first obtaining a certificate of need. However, you need to contact the Agency's Acute and Home Care Licensure and Certification Section 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,
Assistant Chief, Certificate of Need

cc: Acute and Home Care Licensure and Certification Section, DHSR
Kelli Fisk, Program Assistant, Healthcare Planning



Healthcare Planning and Certificate of Need Section

www.ncdhhs.gov

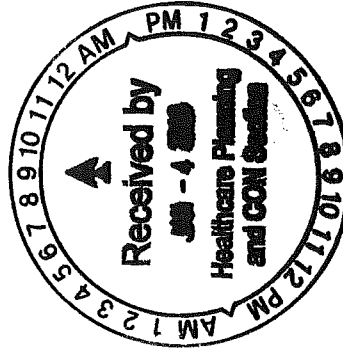
Telephone: 919-855-3873 • Fax: 919-715-4413

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

Mailing Address: 2704 Mail Service Center • Raleigh, NC 27699-2704

An Equal Opportunity/ Affirmative Action Employer





Janet L. Combs
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December 31, 2015

Via Email Address: Celia.Inman@DHHS.NC.Gov

Ms. Celia Inman, CON Project Analyst
North Carolina Department of Human Resources
Division of Facility Services – Certificate of Need
809 Ruggles Drive, Edgerton Bldg.
Raleigh, NC 27603

RE: Transfer of Ownership Notice –
Edgecombe County Health Department
d/b/a Edgecombe HomeCare & Hospice
122 E. Saint James Street
Tarboro, NC 27886-5016
Facility ID: 943743
License #: HC0498

Dear Ms. Inman:

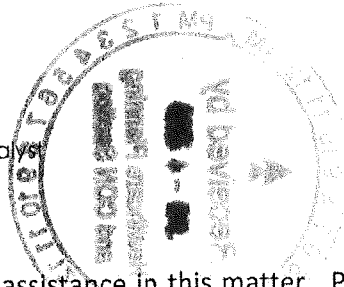
Please accept this written request for a determination of exemption from certificate-of-need review in accordance with N.C.G.S. 131E-184(a)(8) for the acquisition of an existing health care facility providing home health care and hospice services.

Edgecombe County Health Department ("Seller") owns and operates a state-licensed and Medicare-approved home health agency located at the above address. Through a limited asset purchase transaction, Capital Care Resources, LLC ("Buyer") will become the prospective new owner and operator of the Seller's home health care business.

Pending execution of an asset purchase agreement and receipt of the required regulatory approvals, the Buyer will continue operating the health care facility in Edgecombe County. The proposed transfer of ownership is expected to be completed on or before January 31, 2016.

Whereas the proposed transfer of ownership will not constitute the development of a new institutional health service or in any way materially affect the State Health Plan Services for home health agencies, I am respectfully requesting the Division of Facility Services to issue an exemption from certificate-of-need based on the facts represented in this letter. Please forward the Division of Facility Services' response to the undersigned at your earliest convenience via email or fax.

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December 31, 2015
Ms. Celia Inman, CON Project Analyst
NC DHHS



Thank you for your time and assistance in this matter. Please contact me at 800-677-2244, ext. 2013, or via email at janet.combs@gentiva.com, should you require any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Janet L. Combs".

Janet L. Combs
Licensing & Certification Specialist

JLC: