



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

MARK PAYNE  
DIRECTOR

**\*VIA EMAIL ONLY\***

May 19, 2017

David Coster  
David.Coster@rlainc.com

**Exempt from Review – Acquisition of Facility**

**Record #:** 2270  
**Facility Name:** Heather Glen at Ardenwoods  
**Type of Facility:** Adult Care Home  
**FID #:** 980995  
**Acquisition by:** Ardenwoods Retirement, LLC  
**Business #:** 2648  
**County:** Buncombe

Dear Mr. Coster:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your email of May 11, 2017, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, Ardenwoods Retirement, 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 Adult Care Home Licensure Section to obtain instructions for changing ownership of the existing facility. Note that pursuant to N.C. Gen. Stat. §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,

Julie Halatek  
Project Analyst

Martha J. Frisone  
Assistant Chief, Certificate of Need

cc: Adult Care Licensure Section, DHSR  
Paige Bennett, Assistant Chief, Healthcare Planning, DHSR

**HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION**  
WWW.NCDHHS.GOV  
TELEPHONE 919-855-3873

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



## Halatek, Julie F

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**From:** David Coster <David.Coster@rlainc.com>  
**Sent:** Wednesday, May 17, 2017 3:33 PM  
**To:** Halatek, Julie F  
**Subject:** RE: Request for Exemption from CON Review--Aquisition of Ardenwoods CCRC, Buncombe County

Yes we are acquiring the entire Ardenwoods CCRC, which is unusual in the sense that it only includes independent and assisted levels of care. Heather Glen opened prior to the implementation of CON for HA beds. No addition of beds or construction is part of this acquisition.



**David J. Coster**  
Vice President Community Development  
Office: 919-783-0735 x3  
Mobile: 919-559-2171

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**From:** Halatek, Julie F [mailto:julie.halatek@dhhs.nc.gov]  
**Sent:** Wednesday, May 17, 2017 3:25 PM  
**To:** David Coster  
**Subject:** RE: Request for Exemption from CON Review--Aquisition of Ardenwoods CCRC, Buncombe County

Thanks. So the acquisition is of the entire entity – both the main location as well as the Heather Glen at Ardenwoods? I just want to make sure I'm perfectly clear on the details.

**Julie Halatek, Esq.**  
Project Analyst, Certificate of Need  
Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health and Human Services

919 855 3873 office  
[Julie.Halatek@dhhs.nc.gov](mailto:Julie.Halatek@dhhs.nc.gov)

809 Ruggles Drive  
2704 Mail Service Center  
Raleigh, NC 27699-2704

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**From:** David Coster [mailto:David.Coster@rlainc.com]  
**Sent:** Wednesday, May 17, 2017 3:23 PM  
**To:** Halatek, Julie F  
**Subject:** RE: Request for Exemption from CON Review--Aquisition of Ardenwoods CCRC, Buncombe County

Yes that's it. Ardenwoods main address is 2400 Appalachian Blvd. Arden, NC 28704. Heather Glen at Ardenwoods' address is 103 Appalachian Blvd, Arden, NC 28704. Let me know if you need anything else. Thank you!



**David J. Coster**  
Vice President Community Development  
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**From:** Halatek, Julie F [<mailto:julie.halatek@dhhs.nc.gov>]  
**Sent:** Wednesday, May 17, 2017 3:15 PM  
**To:** David Coster  
**Subject:** RE: Request for Exemption from CON Review--Aquisition of Ardenwoods CCRC, Buncombe County

David, are you referring to the facility in our system called Heather Glen at Ardenwoods? Could you please confirm the address for me so I can make sure I'm dealing with the correct facility? Thanks.

**Julie Halatek, Esq.**  
Project Analyst, Certificate of Need  
Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health and Human Services

919 855 3873 office  
[Julie.Halatek@dhhs.nc.gov](mailto:Julie.Halatek@dhhs.nc.gov)

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Raleigh, NC 27699-2704

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**From:** David Coster [<mailto:David.Coster@rlainc.com>]  
**Sent:** Thursday, May 11, 2017 9:46 AM  
**To:** Halatek, Julie F  
**Cc:** Frisone, Martha  
**Subject:** Request for Exemption from CON Review--Aquisition of Ardenwoods CCRC, Buncombe County

Good morning Ms. Halatek—

Ardenwoods Retirement, LLC, a newly formed entity, intends to acquire Ardenwoods CCRC in Buncombe County from Ardenwoods, LLC. I am writing to request an exemption from Certificate of Need review relative to this transaction. Ardenwoods will be operated under a management agreement with a newly formed entity Ardenwoods-RLA, Inc. No addition of beds or construction is involved with this acquisition. Approval is pending from the North Carolina Department of Insurance regarding the change of ownership as well.

Please let me know if further information is required.

Thank you.



**David J. Coster**  
Vice President Community Development  
Office: 919-783-0735 x3  
Mobile: 919-559-2171

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## Moore, Veronica M

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**From:** Frisone, Martha  
**Sent:** Thursday, May 11, 2017 9:51 AM  
**To:** Moore, Veronica M  
**Cc:** Halatek, Julie F  
**Subject:** FW: Request for Exemption from CON Review--Aquisition of Ardenwoods CCRC, Buncombe County

Please log, print and give to Julie. Thanks.

### Martha J. Frisone

Assistant Chief Certificate of Need  
Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section  
North Carolina Department of Health and Human Services

919-855-3873 office  
[Martha.Frisone@dhhs.nc.gov](mailto:Martha.Frisone@dhhs.nc.gov)

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Nothing Compares.

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**Cc:** Frisone, Martha  
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