



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

MARK PAYNE  
DIRECTOR

September 27, 2017

Robert A. Hamill  
3015 Carrington Mill Blvd.  
Suite 450  
Morrisville, NC 27560

**No Review**

**Record #:** 2403  
**Facility Name:** Granville-Vance Home Health Agency  
**FID #:** 953776  
**Business Name:** Home Health and Hospice Care, Inc.  
**Business #:** 954  
**Project Description:** Change of address within Henderson  
**County:** Vance

Dear Mr. Hamill:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your letter of September 13, 2017 regarding the above referenced proposal. Based on the CON law **in effect on the date of this response to your request**, the proposal described in your correspondence is not governed by, and therefore, does not currently require a certificate of need. However, please note that if the CON law is subsequently amended such that the above referenced proposal would require a certificate of need, this determination does not authorize you to proceed to develop the above referenced proposal when the new law becomes effective.

However, you need to contact the Agency's Acute and Home Care Licensure and Certification Section to determine if they have any requirements for development of the proposed project.

It should be noted that this determination is binding only for the facts represented in your correspondence. Consequently, if changes are made in the project or in the facts provided in your correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office. Changes in a project include, but are not limited to: (1) increases in the capital cost; (2) acquisition of medical equipment not included in the

**HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION**

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TELEPHONE 919-855-3873

LOCATION: EDGERTON BUILDING • 809 RUGGLES DRIVE • RALEIGH, NC 27603

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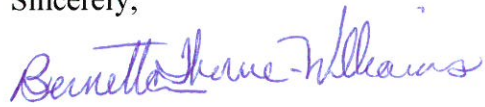
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original cost estimate; (3) modifications in the design of the project; (4) change in location; and (5) any increase in the number of square feet to be constructed.

Please contact this office if you have any questions. Also, in all future correspondence you should reference the Facility ID # (FID) if the facility is licensed.

Sincerely,



Bernetta Thorne-Williams  
Project Analyst



Martha J. Frisone, Chief  
Healthcare Planning and Certificate of Need Section

cc: Acute and Home Care Licensure and Certification Section, DHSR  
Sharetta Blackwell, Program Assistant, Healthcare Planning, DHSR

Record# 2403  
FID# 953776



Hall, Render, Killian, Heath & Lyman, LLP  
Perimeter Three  
3015 Carrington Mill Blvd.  
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Morrisville, North Carolina 27560

**Robert A. Hamill**  
(919) 447-4970  
rhamill@hallrender.com

September 13, 2017

**VIA EMAIL**

Bernetta Thorne-Williams  
Project Analyst  
North Carolina Division of Health Service Regulation  
Health Planning and Certificate of Need Section  
809 Ruggles Drive  
Raleigh, NC 27603  
Bernetta.Williams@dhhs.nc.gov

**RE: Notice of relocation of a home health agency within Vance County**

Dear Ms. Thorne-Williams:

We represent Home Health and Hospice Care, Inc. ("**3HC**"). By letter dated August 18, 2017, 3HC notified the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Health Planning and Certificate of Need Section ("**CON Section**") of 3HC's acquisition of the Granville-Vance Home Health Agency ("**GVHH**") that is currently owned and operated by the Granville-Vance District Health Department, and requested the CON Section's confirmation that such acquisition is exempt from certificate of need ("**CON**") review. By letter dated August 31, 2017, the CON Section confirmed that the acquisition is exempt from CON review pursuant to N.C. Gen. Stat. § 131E-184(a)(8). A copy of the CON Section's August 31<sup>st</sup> letter is enclosed for your review.

3HC intends to relocate GVHH within the same county and service area in conjunction with its acquisition of the agency. GVHH is currently located at 125 Charles Rollins Road, Henderson, NC, 27536 ("**Current Location**"). 3HC intends to relocate GVHH to 855 S. Beckford Drive, Suite A, Henderson, NC 27536 ("**New Location**"), effective October 1, 2017.

The Current Location and New Location are both located in Vance County, and, therefore, are located in the same service area. The New Location is approximately two (2) miles



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DIVISION OF HEALTH SERVICE REGULATION

ROY COOPER  
GOVERNOR

MANDY COHEN, MD, MPH  
SECRETARY

MARK PAYNE  
DIRECTOR

August 31, 2017

Robert A. Hamill  
3015 Carrington Mill Blvd.  
Suite 450  
Morrisville, NC 27560

**Exempt from Review – Acquisition of Facility**

**Record #:** 2374  
**Facility Name:** Granville-Vance Home Health Agency  
**Type of Facility:** Home Health  
**FID #:** 953776  
**Acquisition by:** Home Health and Hospice Care, Inc.  
**Business #:** 954  
**County:** Vance

Dear Mr. Hamill:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that based on your letter of August 18, 2017, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(a)(8). Therefore, Home Health and Hospice Care, Inc., 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 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,

Bernetta Thorne-Williams  
Project Analyst

Martha J. Frisone, Chief  
Healthcare Planning and Certificate of Need Section

cc: Acute and Home Care Licensure and Certification Section, DHSR  
Paige Bennett, Assistant Chief, Healthcare Planning, DHSR

**HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION**

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September 13, 2017  
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from the Current Location. 3HC's relocation of GVHH does not constitute a "new institutional health service" for which a CON is required pursuant to N.C. Gen. Stat. § 131E-176(16).

The relocation is scheduled to occur effective October 1, 2017. In advance of that date, we respectfully request that the CON Section provide written confirmation that 3HC's relocation of GVHH, as described herein, does not require a CON.

Please do not hesitate to contact me if you have any questions or require additional information. Thank you for your review and consideration of this matter.

Sincerely,

HALL, RENDER, KILLIAN, HEATH & LYMAN, LLP

A handwritten signature in cursive script that reads "Robert Hamill".

Robert A. Hamill

Enclosure