



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**

ROY COOPER • Governor
MANDY COHEN, MD, MPH • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

September 24, 2019

Greg Gaylis
Arnall, Golden, Gregory, LLP
171 17th St NW, Suite 2100
Atlanta GA 30363-1031

No Review

Record #: 3055
Facility Name: Atria Southpoint Walk
FID #: 070323
Business Name: WG Durham, LP
Business #: 3100
Project Description: Change in the indirect ownership structure
County: Durham

Dear Mr. Gaylis:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence 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 that correspondence is not governed by, and therefore, does not currently require a certificate of need. 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.

You may need to contact the Agency's Adult Care Licensure Section to determine if they have any requirements for development of the proposed project.

This determination is binding only for the facts represented in your correspondence. If changes are made in the project or in the facts provided in the correspondence referenced above, a new determination as to whether a certificate of need is required would need to be made by this office.

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Michael J. McKillop
Project Analyst

Martha J. Frisone
Chief

cc: Adult Care Licensure Section, DHSR

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF HEALTH SERVICE REGULATION
HEALTHCARE PLANNING AND CERTIFICATE OF NEED SECTION

LOCATION: 809 Ruggles Drive, Edgerton Building, Raleigh, NC 27603
MAILING ADDRESS: 809 Ruggles Drive, 2704 Mail Service Center, Raleigh, NC 27699-2704
<https://info.ncdhhs.gov/dhsr/> • TEL: 919-855-3873

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Direct fax: 404.873.8171
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September 6, 2019

VIA FEDERAL EXPRESS

Ms. Martha Frisone
NC Division of Health Service Regulation
Certificate of Need Section
809 Ruggles Drive
Raleigh, NC 27603

Re: NC Adult Care Home / Internal Restructuring / Indirect Ownership Change
WG Durham, LP (License # HAL-032-131)
dba Atria Southpoint Walk 070323
5705 Fayetteville Road
Durham, NC 27713

Dear Ms. Frisone:

This letter is to inform you of a proposed change involving the above-referenced facility (the "Facility"), which will result in a new indirect owner multiple levels above the operating entity. This proposed change is the result of an internal restructuring of the operator for the Facility (the "Restructuring"). The Restructuring is solely an internal Restructuring and **will not result in any changes to the ultimate ownership, control, or management of the Facility.** In addition, the operator's federal tax identification number will not change and there will be no changes to the Facility's staff or day-to-day operations as a result of the Restructuring. A "before-and-after" structure chart showing the current structure and the proposed structure is enclosed with this letter as **Attachment A** for your reference.

It is our understanding that the Restructuring described above and in the enclosed structure chart does not require any additional filings and **we respectfully request the issuance of an "Exemption or No Review Letter" confirming our understanding.**

Thank you for your attention to this matter. If you have any questions or require any additional information, please do not hesitate to contact me.

Bees #346

Sincerely,

Arnall Golden Gregory LLP



Greg Gaylis

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Enclosures

cc: Hedy S. Rubinger, Esq.

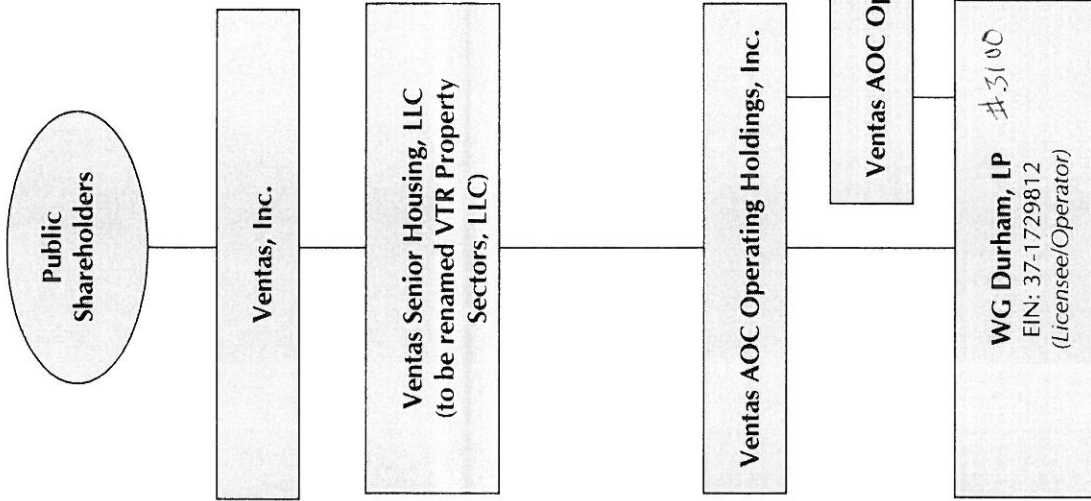
ATTACHMENT A

(See Attached)

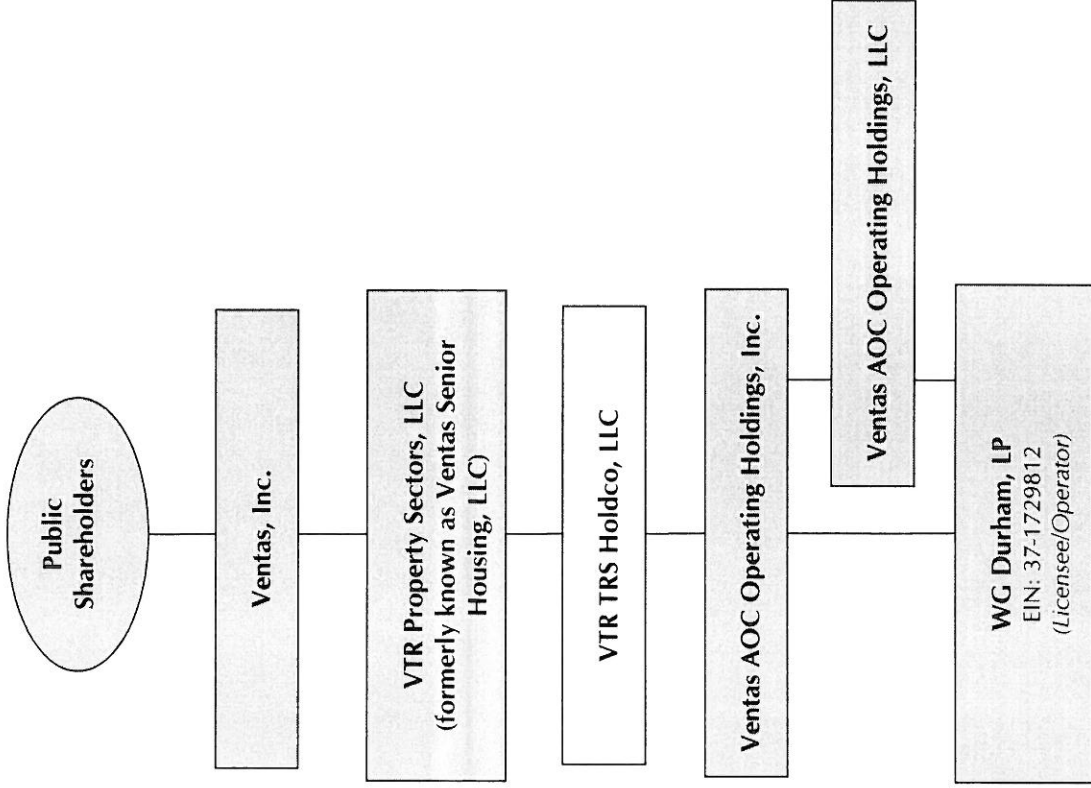
Atria Southpoint Walk
North Carolina

Overview of Internal Restructuring

CURRENT



PROPOSED



*Shaded boxes reflect entities that will remain in the structure.