



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

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

VIA EMAIL ONLY

July 27, 2020

Neil Pruitt, Chairman and CEO
dlegarth@nc.rr.com

Exempt from Review

Record #: 3325
Facility Name: The Oaks at Whitaker Glen-Mayview
FID #: 923332
Business Name: Mayview Healthcare Properties, Inc.
Business #: 2683
Project Description: Demolition and replacement of the welcome center
County: Wake

Dear Mr. Pruitt:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency), determined that based on your letter of July 24, 2020, the above referenced proposal is exempt from certificate of need review in accordance with N.C. Gen. Stat. §131E-184(e). Therefore, you may proceed to offer, develop or establish the above referenced project without a certificate of need.

However, you need to contact the Agency's Construction and Nursing Home Licensure and Certification Sections 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 by you. 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 the Agency. 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 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.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

[Handwritten signature of Michael J. McKillip]

Michael J. McKillip
Project Analyst

[Handwritten signature of Martha J. Frisone]

Martha J. Frisone
Chief

cc: Construction Section, DHSR
Nursing Home Licensure and Certification 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



July 24, 2020

Ms. Martha Frisone, Chief
Healthcare Planning and Certificate of Need
NC Division of Health Service Regulation
809 Ruggles Drive
Raleigh, North Carolina 27603

RE: Request for Exemption to CON Review for The Oaks at Whitaker Glen – Mayview / Wake County

Dear Ms. Frisone:

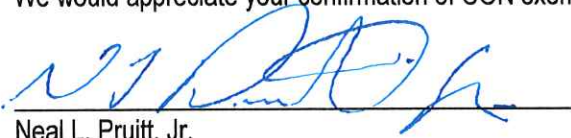
This letter is sent to inform you that Mayview Healthcare Properties, Inc. intends to incur a capital expense more than \$2,000,000 at their skilled nursing facility, The Oaks at Whitaker Glen – Mayview, in Wake County. We are specifically requesting confirmation that this project is exempt from CON review pursuant to N.C.G.S. 131 E-184(e) which provides that:

- (e) The department shall exempt from certificate of need review a capital expenditure that exceeds the two million dollar (\$2,000,000) threshold set forth in G.S. 131 E-176(16)b if all of the following conditions are met:
 - (1) The proposed capital expenditure would meet all of the following requirements:
 - a. Be used solely for the purpose of renovating, replacing on the same site, or expanding any of the following existing facilities:
 - 1. Nursing home facility.
 - 2. Adult care home facility.
 - 3. Intermediate care facility for individuals with intellectual disabilities.
 - b. Not result in a change in bed capacity, as defined in G.S. 131(E-176(5)), or the addition of a health service facility or any other new institutional health service other than that allowed in G.S. 131 E-176(16)b.
 - (2) The entity proposing to incur the capital expenditure provides prior written notice to the Department, which notice includes documentation that demonstrates that the proposed capital expenditure would be used for one or more of the following purposes:
 - a. Conversion of semiprivate resident rooms to private rooms.
 - b. Providing innovative, homelike residential dining spaces, such as cafes, kitchenettes, or private dining areas to accommodate residents and their families or visitors.
 - c. Renovating, replacing, or expanding residential living or common areas to improve the quality of life of residents.

The purpose of this expenditure is for the demolition and replacement of the existing Welcome Center. The focus of the replacement is to expand common areas to improve residents' quality of life, to include: a movie theater; a coffee shop; and rehabilitation center. Additionally, the new Welcome Center will include a front lobby, sales center, and meeting and administrative space.

In summary, this project does not include any planned change in bed capacity or the addition of any health service facility or new institutional health services. Furthermore, all changes are occurring on the same site.

We would appreciate your confirmation of CON exemption at your earliest convenience.

A handwritten signature in blue ink, appearing to read "Neal L. Pruitt, Jr.", is written over a horizontal line.

Neal L. Pruitt, Jr.
Chairman & CEO
Mayview Healthcare Properties, Inc.

From: dlegarth@nc.rr.com
To: [Mckillip, Mike](#); [Waller, Martha K](#)
Cc: ["Aneel Gill"](#)
Subject: [External] CON Exemption Request
Date: Friday, July 24, 2020 2:25:39 PM
Attachments: [Mayview Exemption Request.pdf](#)

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Hi Mike,

Attached please find a CON Exemption Request for an expansion projected at The Oaks at Whitaker Glen-Mayview in Wake County.

David Legarth



Mail Address:
P.O. Box 1936
Apex, NC 27502

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108 Curley Maple Court
Apex, NC 27502

Phone:
(919)244-7609