



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

August 20, 2021

Carmen J. Marzella  
cmarzella@marzellalawgroup.com

**Exempt from Review – Acquisition of Facility**

**Record #:** 3635  
**Date of Request:** August 13, 2021  
**Facility Name:** Mountain Valley Living Center  
**Type of Facility:** ACH  
**FID #:** 920822  
**Acquisition by:** Dr. Juliette Okwoshah  
**Business #:** 3422  
**County:** Stokes

Dear Ms. Marzella:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) determined that the project described above is exempt from certificate of need (CON) review in accordance with G.S. 131E-184(a)(8). Therefore, the above referenced business may proceed to acquire the health service facility identified above without first obtaining a CON. The Agency's determination is limited to the question of whether the above referenced business would have to obtain a CON if the current owners of the health service facility do in fact sell it to the business listed above. 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.*"

If the business listed above does acquire the facility, you should contact the Agency's Adult Care Licensure Section to obtain instructions for changing ownership of the existing facility.

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 regarding whether a certificate of need would be required. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Celia C. Inman  
Project Analyst

Micheala Mitchell  
Chief, Certificate of Need

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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER



August 13, 2021

*Via Email– [celia.inman@dhhs.nc.gov](mailto:celia.inman@dhhs.nc.gov)*

Healthcare Planning and Certificate of Need Section  
Division of Health Service Regulation  
Department of Health and Human Services  
2704 Mail Service Center  
Raleigh, NC 27699-2704  
Attn: Ms. Celia Inman

***Re: Exemption Request by Graceland Living Center I & II  
Address: 1290 Denny Road, King, NC 27021***

***Exemption Request by Mountain Valley Living Center  
Address: 1135 Taylor Rd, Westfield, NC 27053***

Dear Ms. Inman:

On behalf of our client, Dr. Juliette Okwoshah, we submit this letter to advise the Healthcare Planning and Certificate of Need Section ("CON Section") of a transaction whereby Dr. Okwoshah acquired all of the Stock of Danny Tuttle, Inc. the corporate owner of the above Stokes County facilities. The acquisition by Dr. Okwoshah includes the real estate, building(s), and all CON rights related to the Facility.

Accordingly, the transaction should be determined to be exempt from certificate of need review under N.C. Gen. Stat. § 131E-184(a)(8), as it constitutes the acquisition of stock, and thereby a change of owner to by Dr. Okwoshah, of an existing health service facility from the Tisha and Dale R. Tuttle, the current stock owners.

We would appreciate your earliest possible attention to this matter and confirmation of exemption under N.C. Gen. Stat. § 131 E-184(a)(8).

On behalf of our client, I thank you for your attention to this matter. If you should have any questions or need any additional information, please contact me so that I may respond immediately.

Thank you for your time and consideration.

Sincerely,

**MARZELLA LAW GROUP, PLLC**



**CARMEN J. MARZELLA**

[cmarzella@marzellalawgroup.com](mailto:cmarzella@marzellalawgroup.com)

CJM/c

cc: Juliet Okwoshah

**From:** [Inman, Celia C](#)  
**To:** [Waller, Martha K](#)  
**Subject:** FW: [External] CON Exemption Request  
**Date:** Friday, August 13, 2021 3:23:34 PM  
**Attachments:** [DHHS 081321.pdf](#)

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Another exemption request! Thanks.

**Celia C. Inman**

Project Analyst, Certificate of Need

[Division of Health Service Regulation](#), Healthcare Planning and Certificate of Need Section  
[NC Department of Health and Human Services](#)

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Office: 919-855-3873

[celia.inman@dhhs.nc.gov](mailto:celia.inman@dhhs.nc.gov)

809 Ruggles Drive, Edgerton  
2704 Mail Service Center  
Raleigh, NC 27603

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**From:** Carmen J. Marzella, Esq. <[cmarzella@marzellalawgroup.com](mailto:cmarzella@marzellalawgroup.com)>

**Sent:** Friday, August 13, 2021 3:20 PM

**To:** Inman, Celia C <[celia.inman@dhhs.nc.gov](mailto:celia.inman@dhhs.nc.gov)>

**Cc:** [juliet@alphahealthservices.com](mailto:juliet@alphahealthservices.com)

**Subject:** [External] CON Exemption Request

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Ms. Inman,

Please see attached.

Thank you.

Carmen

**Carmen Joseph Marzella**

*Member NC and NJ Bars*

*Managing Partner*

**Marzella Law Group, PLLC**

200 Pinner Weald Way, Suite 101

Cary, North Carolina 27513

t: 919-653-8800 ext. 1

m: 919-413-5763

e: [cmarzella@marzellalawgroup.com](mailto:cmarzella@marzellalawgroup.com)



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[www.marzellalawgroup.com](http://www.marzellalawgroup.com)

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