



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
MARK PAYNE • Director, Division of Health Service Regulation

VIA EMAIL ONLY

July 20, 2022

Janet Combs
Janet.Combs@gentiva.com

No Review
Record #: See Attachment A
Date of Request: July 8, 2022
Facility Name: See Attachment A
FID #: See Attachment A
Business Name: See Attachment A
Business #: See Attachment A
Project Description: Change in indirect Ownership
County: See Attachment A

Dear Ms. Combs:

The Healthcare Planning and Certificate of Need Section, Division of Health Service Regulation (Agency) received your correspondence regarding the project described above. Based on the CON law in effect on the date of this response to your request, the project as described 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.

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,

Ena Lightbourne
Project Analyst

Micheala Mitchell
Micheala Mitchell
Chief

cc: Acute and Home Care 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

Attachment A

Record #	FID#	Business	Business #	Facility	Address	County
3946	050625	Carrolton Home Care, LLC	413	Community Home Care & Hospice	535 S. Fayetteville Street, Asheboro, NC 27203-5701	Randolph
3947	000174	Carrolton Home Care, LLC	413	Community Home Care & Hospice	126 E. Elizabeth Street, Suite A Clinton, NC 28228-4018	Sampson
3948	010673	Carrolton Home Care, LLC	413	Community Home Care & Hospice	1231 North Main Street Lillington, NC 27546-8286	Harnett
3949	060901	Carrolton Home Care, LLC	413	Community Home Care & Hospice	2800 Breezewood Avenue Suite 100 Fayetteville, NC 28303-5282	Cumberland
3950	050350	Carrolton Home Care, LLC	413	Community Home Care & Hospice	497 Olde Waterford Way Suite 208 Belville, NC 28451-4183	Brunswick
3951	010820	Carrolton Home Care, LLC	413	Community Home Care & Hospice	4850 Fayetteville Rd Suite C Lumberton, NC 28358-2100	Robeson
3952	050815	Carrolton Home Care, LLC	413	Community Home Care & Hospice	156 Corporate Blvd. Indian Trail, NC 28079-9433	Union
3953	050347	Carrolton Home Care, LLC	413	Community Home Care & Hospice	1791 E. Broad Avenue Rockingham, NC 28379-4972	Richmond
3954	010528	Carrolton Home Care, LLC	413	Community Home Care & Hospice	1836 Doctors Drive Sanford, NC 27330-5057	Lee
3955	051230	Carrolton Home Care, LLC	413	Community Home Care & Hospice	1024 Albemarle Road Suite 904 Troy, NC 27371	Montgomery
3956	050351	Carrolton Home Care, LLC	413	Community Home Care & Hospice	333 Jefferson Street Whiteville, NC 28472-3601	Columbus
3957	030499	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	2309 Wayne Memorial Drive Goldsboro, NC 27534-1725	Wayne
3958	050326	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	1003 Red Banks Road Suite B Greenville, NC 27858-5908	Pitt

3959	030894	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	2479 Hurt Drive Rocky Mount, NC 27804-7976	Nash
3960	050349	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	525 Becker Drive Side A Roanoke Rapids, NC 27870-3303	Halifax
3961	021189 (HOS)	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	2841 Daisy Lane Suite E Wilson, NC 27896- 6948	Wilson
3962	060904 (HC)	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	2841 Daisy Lane Suite E Wilson, NC 27896- 6948	Wilson
3963	050578	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	2730 Tucker Street Suite 600 Burlington, NC 27215-8860	Alamance
3964	020133 (HOS)	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	208 Butternut Lane Clayton, NC 27520- 5857	Johnston
3965	060899 (HC)	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	208 Butternut Lane Clayton, NC 27520- 5857	Johnston
3966	040621	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	946 W. Andrew Avenue Suite S Henderson, NC 27536-2500	Vance
3967	020986	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	7714 Chapel Hill Road Cary, NC 27513- 6256	Wake
3968	051478	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	1308 Davie Avenue Statesville, NC 28677-3514	Iredell
3969	060033	Community Hospice, LLC	3584	Community Home Care & Hospice	1601 N. Road Street Suite B Elizabeth City, NC 27909-317	Pasquotank
3970	050273	Community Hospice, LLC	3584	Community Home Care & Hospice	115 Airport Road Kingston, NC 28501- 1603	Lenoir

3971	060906	Community Hospice, LLC	3584	Community Home Care & Hospice	1423 South Glenburnie Road, Suite A New Bern, NC 28562-2603	Craven
3972	050359	Community Hospice, LLC	3584	Community Home Care & Hospice	662 West Corbett Avenue Swansboro, NC 28584-8450	Onslow
3973	040255	Community Hospice, LLC	3584	Community Home Care & Hospice	222 W. Stewart Parkway, Suite 100 Washington, NC 27899-4994	Beaufort
3974	050348	Community Hospice, LLC	3584	Community Home Care & Hospice	200 Green Street, Suite 2033 Williamston, NC 27892-2066	Martin
3975	150330	Wiregrass Hospice of South Carolina, LLC	2780	Kindred Hospice	136 Roxboro Road Oxford, NC 27565-2642	Granville
3976	001673	Carrolton Home Care, LLC	413	Community Home Care & Hospice	411 S. Poplar Street Elizabethtown, NC 28337	Bladen
3977	030387	Carrolton Home Care, LLC	413	Community Home Care & Hospice	275 SE Broad Street Southern Pines, NC 28387-6106	Moore
3978	050346	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	102 West Nash Street Suite F Louisburg, NC 27549-2574	Franklin
3979	050277	Community Home Care & Hospice, LLC	529	Community Home Care & Hospice	401 W. Wilson Street Tarboro, NC 27886-4236	Edgecombe
3980	170133	Community Home Care & Hospice, LLC	529	Kindred Hospice	1712 Howard Avenue Tarboro, NC 27886-3409	Edgecombe
3981	100142	Community Home Care of Robeson County, LLC	3585	Community Home Care & Hospice	126 E. Elizabeth Street Suite B Clinton, NC 28328-4018	Sampson
3982	100144	Community Home Care of Robeson County, LLC	3585	Community Home Care & Hospice	2338 Operations Drive Suite C Durham, NC 27705-3097	Durham

3983	100076	Community Home Care of Robeson County, LLC	3585	Community Home Care & Hospice	1528 Evans Street Suite L-1 Greenville, NC 27834-5311	Pitt
3984	100159	Community Home Care of Robeson County, LLC	3585	Community Home Care & Hospice	1240 N. Main Street Lillington, NC 27546-8286	Harnett
3985	100143	Community Home Care of Robeson County, LLC	3585	Community Home Care & Hospice	120 Premier Plaza Whiteville, NC 28472-3601	Columbus
3986	050106	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	1738 Hillandale Road Suite 203 Durham, NC 27705-3097	Durham
3987	050327	Community Home Care of Vance County, LLC	3237	Community Home Care & Hospice	960 Corporate Drive Suite 209 Hillsborough, NC 27278-8560	Orange
3988	050352	Community Hospice, LLC	3584	Community Home Care & Hospice	710 Arendell Street Office 203C Morehead City, NC 28557-4240	Carteret
3989	953893	Community Home Care & Hospice, LLC	2778	Wake Forest Baptist Health are at Home Hospice-Wilkes	126 Executive Drive, Suite 110 Wilkesboro, NC 28697-7571	Wilkes



May 10, 2022

VIA EMAIL

Michaela Mitchell
Chief, Certificate of Need
Healthcare Planning and Certificate of Need Section
Division of Health Services Regulation
North Carolina Department of Health and Human Services
2704 Mail Service Center
Raleigh, NC 27699-2704
Michaela.mitchell@dhhs.nc.gov

RE: Notification of Transaction and Request for “No Review” Determination

Dear Ms. Mitchell:

The purpose of this letter is to provide notice to the North Carolina Department of Health and Human Services Division, Division of Health Services Regulation (“DHSR”), Certificate of Need Section of the change of the indirect owner of multiple entities holding certificates of need (“CONs”) in North Carolina, and to request a “no review” determination. Please see **Attachment A** for the list of relevant entities holding CONs in North Carolina (“NC Entities”).

I. THE TRANSACTION

Humana Inc. (“Humana”), a publicly traded company, is the ultimate parent entity of the NC Entities (several entities above). Humana entered into an agreement to transfer approximately sixty percent (60%) of its interest in Falcon Hospice, L.P. and Falcon Hospice G.P., LLC (collectively, “Falcon”), entities to be formed simultaneously with closing, several entities above the NC Entities. Specifically, on April 20, 2022, Humana entered into that certain Stock Purchase Agreement with CD&R Falcon Holdings, L.P. (“Buyer”) and other indirect subsidiaries of Humana, whereby Buyer will acquire a majority interest in Falcon. Thus, following this transaction, Humana will remain a minority indirect owner, and Buyer will become the majority indirect owner of the NC Entities. The transaction is anticipated to close in the next 60-90 days. Please refer to **Attachment B** for the pre- and post-closing organizational charts.

II. FACILITIES INVOLVED IN TRANSACTION

Following the transaction, all of the NC Entities will continue to conduct business under their respective CONs, state licenses, Medicare/Medicaid numbers, and tax identification numbers. The Transaction will not result in a change in the NC Entities’ day-to-day operations, policies and procedures, service areas, or the services provided by the NC Entities.

III. CERTIFICATE OF NEED REVIEW NOT TRIGGERED

Pursuant to N.C. Gen. Stat. § 131E-178(b), “[n]o person shall make an acquisition by donation, lease, transfer, or comparable arrangement without first obtaining a certificate of need from the Department, if the acquisition would have been a new institutional health service if it had been made by purchase.” However, given that this transaction results in an indirect ownership change with no changes to the licensed entity, we do not believe that the transaction is subject to a CON review. Further, an acquisition of “an existing health service facility, including equipment owned by the health service facility at the time of acquisition,” is exempt from certificate of need review pursuant to N.C. Gen. Stat. § 131E-184(a)(8). “Health service facility” is defined by N.C. Gen. Stat. § 131E-176(9b) to include home health and hospice agencies. Thus, even if this transaction does not qualify for a “no review” determination, we believe that the transaction is exempt from CON review because the transaction involves the acquisition of an existing health service facility. **Therefore, we respectfully request your confirmation that this transaction results in a “no review” or, in the alternative, is exempt from CON review.**

To the extent you have any questions, please contact me at Janet.Combs@gentiva.com or (913) 814-2013. Thanking you in advance for your prompt attention in this matter.

Best Regards,



Janet Combs
Vice President of Licensure
Kindred at Home

Enclosures:

Attachment A: Licenses

Attachment B: Pre- and Post-Closing Organizational Charts

Attachment A

Licenses

Legal Entity	D/B/A	Address	License Number	Administrator
Carrolton Home Care, LLC	Community Home Care & Hospice	533 S. Fayetteville Street Asheboro, NC 27203-5701	HOS3075	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	126 E. Elizabeth Street Suite A Clinton, NC 28328-4018	HC1844	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	1231 North Main Street Lillington, NC 27546-8286	HOS2048	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	2800 Breezewood Avenue Suite 100 Fayetteville, NC 28303-5282	HC1331; NP3441	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	497 Olde Waterford Way Suite 208 Belville, NC 28451-4183	HOS3010	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	4850 Fayetteville Rd Suite C Lumberton, NC 28358-2100	HOS2060	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	156 Corporate Blvd. Indian Trail, NC 28079-9433	HOS3116	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	1791 E. Broad Avenue Rockingham, NC 28379-4972	HOS3007	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	1836 Doctors Drive Sanford, NC 27330-5057	HOS2034	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	1024 Albemarle Road Suite 904 Troy, NC 27371-8684	HOS3199	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	333 Jefferson Street Whiteville, NC 28472-3601	HOS3011	Yvette Whitmore
Community Home Care & Hospice, LLC	Community Home Care & Hospice	2309 Wayne Memorial Drive Goldsboro, NC 27534-1725	HC2361	Rhonda Boykin
Community Home Care & Hospice, LLC	Community Home Care & Hospice	1003 Red Banks Road Suite B Greenville, NC 27858-5908	HOS2996	Rhonda Boykin
Community Home Care & Hospice, LLC	Community Home Care & Hospice	2479 Hurt Drive Rocky Mount, NC 27804-7976	HOS2424	Rhonda Boykin
Community Home Care & Hospice, LLC	Community Home Care & Hospice	525 Becker Drive Side A Roanoke Rapids, NC 27870-3303	HOS3009	Rhonda Boykin
Community Home Care & Hospice, LLC	Community Home Care & Hospice	2841 Daisy Lane Suite E Wilson, NC 27896-6948	HOS2241; HC3436	Rhonda Boykin
Community Home Care of Vance County, LLC	Community Home Care & Hospice	2730 Tucker Street Suite 600 Burlington, NC 27215-8860	HOS3063	Shannon Ballard
Community Home Care of Vance County, LLC	Community Home Care & Hospice	208 Butternut Lane Clayton, NC 27520-5857	HOS2135; NP2813; HC3440	Shannon Ballard
Community Home Care of Vance County, LLC	Community Home Care & Hospice	946 W Andrews Avenue Suite S Henderson, NC 27536-2500	HOS2561; HC3466	Shannon Ballard
Community Home Care of Vance County, LLC	Community Home Care & Hospice	7714 Chapel Hill Road Cary, NC 27513-6256	HOS2223	Shannon Ballard
Community Home Care of Vance County, LLC	Community Home Care & Hospice	1308 Davie Avenue Statesville, NC 28677-3514	HOS3273	Shannon Ballard

Community Hospice, LLC	Community Home Care & Hospice	1601 N. Road Street Suite B Elizabeth City, NC 27909-3417	HOS3301	Melvin Gene Woolard
Community Hospice, LLC	Community Home Care & Hospice	115 Airport Road Kinston, NC 28501-1603	HOS2984	Melvin Gene Woolard
Community Hospice, LLC	Community Home Care & Hospice	1423 South Glenburnie Road, Suite A New Bern, NC 28562-2603	HOS2302; HC3439	Melvin Gene Woolard
Community Hospice, LLC	Community Home Care & Hospice	662 West Corbett Avenue Swansboro, NC 28584-8450	HOS3006	Melvin Gene Woolard
Community Hospice, LLC	Community Home Care & Hospice	222 W. Stewart Parkway, Suite 100 Washington, NC 27889-4994	HOS2516	Melvin Gene Woolard
Community Hospice, LLC	Community Home Care & Hospice	200 Green Street, Suite 203 Williamston, NC 27892-2066	HOS3008	Melvin Gene Woolard
Wiregrass Hospice of South Carolina, LLC	Kindred Hospice	136 Roxboro Road Oxford, NC 27565-2642	HOS4791	Misty Jones
Carrolton Home Care, LLC	Community Home Care & Hospice	411 S. Poplar Street Elizabethtown, NC 28337	HOS1945	Yvette Whitmore
Carrolton Home Care, LLC	Community Home Care & Hospice	275 SE Broad Street Southern Pines, NC 28387-6106	HC2351	Yvette Whitmore
Community Home Care & Hospice, LLC	Community Home Care & Hospice	102 West Nash Street Suite F Louisburg, NC 27549-2574	HOS3005	Rhonda Boykin
Community Home Care & Hospice, LLC	Community Home Care & Hospice	401 W. Wilson Street Tarboro, NC 27886-4236	HOS2985	Rhonda Boykin
Community Home Care & Hospice, LLC	Kindred Hospice	1712 W Howard Avenue Tarboro, NC 27886-3409	HOS4887	Jessica Brantley
Community Home Care of Robeson County, LLC	Community Home Care & Hospice	126 E. Elizabeth Street Suite B Clinton, NC 28328-4018	HC4030	Shannon Asycue
Community Home Care of Robeson County, LLC	Community Home Care & Hospice	2338 Operations Drive Suite C Durham, NC 27705-3097	HOS4029	Shannon Asycue
Community Home Care of Robeson County, LLC	Community Home Care & Hospice	1528 Evans Street Suite L-1 Greenville, NC 27834-5311	HOS4010	Shannon Asycue
Community Home Care of Robeson County, LLC	Community Home Care & Hospice	1240 N. Main Street Lillington, NC 27546-8286	HC4032	Shannon Asycue
Community Home Care of Robeson County, LLC	Community Home Care & Hospice	120 Premiere Plaza Whiteville, NC 28472-3601	HC4028	Shannon Asycue
Community Home Care of Vance County, LLC	Community Home Care & Hospice	1738 Hillandale Road Suite 203 Durham, NC 27705-3097	HOS2958	Shannon Ballard
Community Home Care of Vance County, LLC	Community Home Care & Hospice	960 Corporate Drive Suite 209 Hillsborough, NC 27278-8560	HOS2997	Shannon Ballard
Community Hospice, LLC	Community Home Care & Hospice	710 Arendell Street Office 203C Morehead City, NC 28557-4240	HOS2998	Melvin Gene Woolard
Community Home Care & Hospice, LLC	Wake Forest Baptist Health Care at Home Hospice-Wilkes	126 Executive Drive, Suite 110 Wilkesboro, NC 28697-7571	HOS0407	Ginger Rhoades

Attachment B

Pre-Closing Organizational Chart



