



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

December 28, 2023

Robert A. Leandro
robleandro@parkerpoe.com

No Review

Record #: 4347
Date of Request: December 21, 2023
Facility Name: Valley Nursing Center
FID #: 953152
Business Name: Valley Nursing Healthcare, LLC
Business #: 3772
Project Description: Change in operator/licensee
County: Alexander

Dear Mr. Leandro:

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,

[Handwritten signature of Ena Lightbourne]

Ena Lightbourne
Project Analyst

[Handwritten signature of Micheala Mitchell]

Micheala Mitchell
Chief

cc: 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



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Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

December 20, 2023

Via E-mail [micheala.mitchell@dhhs.nc.gov]

Michaela Mitchell
Chief, Healthcare Planning and Certificate of
Need Section

Re: Valley Nursing Healthcare, LLC No Review Request

Dear Ms. Mitchell:

Our client Valley Nursing Health Care, LLC ("Valley") is in the process of completing a transaction whereby it will become licensee a licensed nursing facility, which currently operates under the name Valley Nursing Center (the "Facility"). Under the terms of the transaction the current licensee of the Facility, Westminster Nursing Center, Inc. will no longer serve as the licensee or operate the facility.

To effectuate the transaction, Valley will be entering into a lease with the current owner of the bricks and mortar of the Facility, and accordingly the ownership of the Facility will not be changing.

Please kindly confirm in writing that this transaction is not subject to review by the Certificate of Need Section and that a CON is not required.

Thank you for your consideration. If you have any questions please feel free to reach out to us directly.

Sincerely,

A handwritten signature in black ink that reads 'Robb A. Leandro'.

Robb A. Leandro
Parker Poe Adams & Bernstein

From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#)
Cc: [Pittman, Lisa](#)
Subject: FW: [External] CON No Review Letter - Submitted on behalf of Valley Nursing Healthcare, LLC
Date: Thursday, December 21, 2023 9:20:37 AM
Attachments: [Revised Valley Nursing Healthcare No Review Letter 12.20.2023.pdf](#)

One more Tiffany. It can go to Ena.

Thank you,

Micheala Mitchell, JD
[NC Department of Health and Human Services](#)
[Division of Health Service Regulation](#)
Section Chief, Healthcare Planning and CON Section
809 Ruggles Drive, Edgerton Building
2704 Mail Service Center
Raleigh, NC 27699-2704
Office: 919 855 3879
Micheala.Mitchell@dhhs.nc.gov

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From: Leandro, Robert A. <robbleandro@parkerpoe.com>
Sent: Wednesday, December 20, 2023 5:05 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Cc: Simon, Eric <ESimon@taftlaw.com>
Subject: [External] CON No Review Letter - Submitted on behalf of Valley Nursing Healthcare, LLC

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Micheala,

Here is one more No Review request before the holidays. Please find attached a No Review letter that I am submitting on behalf of my client Valley Nursing Healthcare, LLC. Thanks again for all your help and I hope you and your family have a very happy holiday.

Robb

Robert Leandro
Partner

Find our latest health care analysis [here](#)



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