



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

March 14, 2023

Lisa Wallace
Lisa.wallace@kinstonhc.org

Exempt from Review – Physician Office or Medical Office Building

Record #: 4142
Date of Request: February 27, 2023
Business Name: Kinston Community Health Center
Business #: 3678
Project Description: Develop a medical office building
County: Lenoir

Dear Ms. Wallace:

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 review in accordance with G.S. 131E-184(a)(9). Therefore, you may proceed to offer, develop or establish the project described above without a certificate of need.

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 the Agency and a separate determination. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

[Handwritten signature of Gregory F. Yakaboski]

Gregory F. Yakaboski
Project Analyst

[Handwritten signature of Micheala Mitchell]

Micheala Mitchell
Chief

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KINSTON
AUTHORIZING THE CONVEYANCE OF REAL PROPERTY
TO KINSTON COMMUNITY HEALTH CENTER**

WHEREAS, the City Council of the City of Kinston finds Kinston Community Health Center ("KCHC") to be a worthy nonprofit corporation whose mission is to provide quality and accessible healthcare to the people of Kinston and Lenoir County regardless of their ability to pay and thereby better the health, social and economic conditions of persons in Lenoir County, and

WHEREAS, KCHC is an entity carrying out a public purpose as required by N.C.G.S. §160A-279; and

WHEREAS, the City of Kinston is the owner of the real property identified on the attached Exhibit A and being a portion of that property identified as Lenoir County Tax Parcel Number 8288; and

WHEREAS, KCHC has committed that it would use said property in a manner consistent with the nonprofit mission of the corporation by constructing a new 43,000 square foot medical facility thereon; and

WHEREAS, the City of Kinston finds no immediate need for the hereinafter described property and thus renders it surplus, and finds that a conveyance of the real property to KCHC, subject to the construction of a new medical facility and use of the property in accordance with the terms set forth in the Donation Agreement attached hereto, would be for a public purpose and would be in the public interest; and

WHEREAS, notice of this intended conveyance will be duly published in the The Kinston Free Press in accordance with N.C.G.S. §160A-279.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KINSTON, that the Mayor and City Clerk are authorized to execute a Donation Agreement, substantially in the form attached hereto, and to thereafter, upon compliance with the terms thereof, execute a special warranty deed to KCHC for property more particularly described therein.

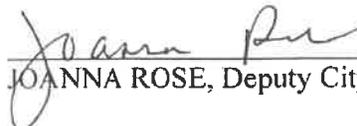
DULY ADOPTED this 19th day of October, 2021.

CITY OF KINSTON

By: _____

DON HARDY, Mayor

ATTEST:


JOANNA ROSE, Deputy City Clerk



From: [Lisa Wallace](#)
To: [Yakaboski, Greg](#)
Cc: [Deborah Gray](#); [SUZANNE FREEMAN](#)
Subject: [External] CON Exemption for Kinston Community Health Center
Date: Tuesday, February 28, 2023 11:33:14 AM
Attachments: [COK Land Conveyance Signed Oct 2021.pdf](#)

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

Good Morning,

Thank you for talking with me today. Below is the requested information.

1. Kinston Community Health Center is a federally qualified health center (FQHC) located at 324 North Queen St, Kinston, NC 28501.
2. We confirm, we are not licensed and we do not operate under a CON.
3. The City of Kinston conveyed a plot of land to us for a new building at 207 E. King Street (I have attached the conveyance letter from the City).
4. Over the next year we will be replacing our current building at 324 North Queen St, Kinston, NC 28501 and move to the new building located approximately 2 miles away at 207 East King St, Kinston NC 28501.

Please let me know if I can assist with anything further.

Thank you,

Lisa Wallace

Lisa Wallace, MHA
Chief Executive Officer

Kinston Community Health Center
324 N Queen St.
Kinston, NC 28501
(w) 252 522-4350 ext 1221
(c) 910 545 9711



**KINSTON COMMUNITY
HEALTH CENTER, INC.**

Hope For Equal Access

(252) 522-9800 • Fax (252) 522-9206
P.O. Box 2278 • Kinston, NC 28502
324 N. Queen St. • Kinston, NC 28501

February 22, 2023

VIA ELECTRONIC MAIL AND U.S. MAIL

Micheala.Mitchell@dhhs.nc.gov

Ms. Micheala Mitchell, Chief
North Carolina Department of Health and Human Services
Division of Health Service Regulation
Health Planning and Certificate of Need Section
2704 Mail Service Center
Raleigh, NC 27699-2704

Re: Exemption Notice for Kinston Community Health Center

Dear Ms. Mitchell:

I am writing on behalf Kinston Community Health Center, Incorporated, a North Carolina nonprofit corporation (the "Health Center") that operates a Section 330 funded Federally Qualified Health Center, which provides outpatient health care services to the citizens and residents of Kinston, Lenoir County, North Carolina, and the surrounding communities. Please accept this letter as notice to the N.C. Department of Health and Human Services, Division of Health Service Regulation, Certificate of Need Section (the "Agency") of Health Center's intent to build a replacement building for the Health Center's operations, which will be located at 207 East King Street, Kinston, NC 28501.

As you know, the CON law provides that upon receiving prior written notice, the CON Section shall exempt from CON review the development of a physician office building regardless of cost. N.C. Gen. Stat. § 131E-184(a)(9). The Project will not result in the development or establishment of any new health service facility, nor will it result in the offering, development, or establishment of any institutional health service that is not exempt in connection with this Project.

I would therefore ask to receive written confirmation that the Project is exempt from CON review. To the extent you have any questions, or need additional information to process this request, please do not hesitate to contact me directly at (252)522-4350 Ext. 1221 or lisa.wallace@kinstonchc.org. Thank you in advance for your time and assistance with this important matter.

Sincerely,

Lisa Wallace, MHA
Chief Executive Officer

From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] Fw: Kinston Community Health Center CON Exemption
Date: Friday, February 24, 2023 5:03:17 PM
Attachments: [KCHC CON Letter 02222023.pdf](#)

Hey there!

This exemption letter goes to Greg.

Thanks and have a great weekend.

Best,

Micheala Mitchell, JD
(*she/her/hers*)
Section Chief, Healthcare Planning and CON Section
[NC Department of Health and Human Services](#)
[Division of Health Service Regulation](#)
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: Lisa Wallace <lisa.wallace@kinstonchc.org>
Sent: Thursday, February 23, 2023 10:17 AM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Subject: [External] Fw: Kinston Community Health Center CON Exemption

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

Good Morning, I sent this yesterday but it was returned due to an incorrect email on my part.
We have also mailed this letter.
Please let me know if you have any questions.
Thanks, Lisa Wallace

Lisa Wallace, MHA
Chief Executive Officer

Kinston Community Health Center
324 N Queen St.
Kinston, NC 28501
(w) 252 522-4350 ext 1221
(c) 910 545 9711

From: Lisa Wallace <lisa.wallace@kinstonchc.org>
Sent: Wednesday, February 22, 2023 9:11 AM
To: Micheala.Mitchell@dhhs.nc.gov <Micheala.Mitchell@dhhs.nc.gov>
Cc: Denise McKinney <denise.mckinney@kinstonchc.org>; Deborah Gray <deborah.gray@kinstonchc.org>
Subject: Kinston Community Health Center CON Exemption

Good Morning,
Please refer to the attached letter. We will be sending a hard copy by mail.
Thank you,
Lisa Wallace

Lisa Wallace, MHA
Chief Executive Officer

Kinston Community Health Center
324 N Queen St.
Kinston, NC 28501
(w) 252 522-4350 ext 1221
(c) 910 545 9711