



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

May 26, 2023

Anthony Brett
Anthony.Brett@wbd-us.com

Exempt from Review – Acquisition of Facility

Record #: 4216
Date of Request: May 12, 2023
Facility Name: Heather Glen at Ardenwoods
Type of Facility: Adult Care Home
FID #: 980995
Acquisition by: Baptist Retirement Homes of North Carolina, Inc.
Business #: 139
County: Buncombe

Dear Mr. Brett:

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,

[Signature of Ena Lightbourne]

Ena Lightbourne
Project Analyst

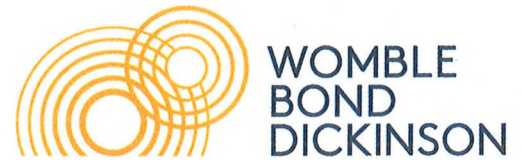
[Signature of Micheala Mitchell]

Micheala Mitchell
Chief

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



May 12, 2023

Ena Lightbourne, Project Analyst
Healthcare Planning Certificate of Need Section
Division of Health Service Regulation
North Carolina Department of Health and Human Services
809 Ruggles Drive
Raleigh, NC 27603
Ena.lightbourne@dhhs.nc.gov

Womble Bond Dickinson (US) LLP

One West Fourth Street
Winston-Salem, NC 27101

t: 336.721.3600
f: 336.721.3660

Via email only

Re: **Notice of Exempt Acquisition pursuant to N.C. Gen. Stat. § 131E-184(a)(8)-Acquisition of Existing Health Service Facility (Adult Care Home)**

Anthony Brett
Partner
Direct Dial: 336-721-3620
Direct Fax: 336-733-8331
E-mail: Anthony.Brett@wbd-us.com

Dear Ms. Lightbourne:

I am an attorney for Baptist Retirement Homes of North Carolina, Incorporated ("Baptist") which will acquire Heather Glen At Ardenwoods ("Heather Glen") effective August 1, 2023 (unless there is a need to change the closing date for this transaction from July 31, 2023). Baptist will continue to operate Heather Glen under its existing name. The information for Heather Glen is listed below

Type of Facility: Adult Care Home (60 beds without any special care units)
FID#: 980995
County: Buncombe
Address: 103 Appalachian Boulevard, Arden, NC 28704
Current owner: Arden Retirement, LLC
License#: HAL-011-371

This transaction will not result in the offering, 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 from certificate of need review. Heather Glen is not the subject of any pending certificate of need application or any uncompleted project which required the issuance of a certificate of need.

Pursuant to N.C. Gen. Stat. § 131E-184(a)(8), I understand that this transaction is exempt from certificate of need review. Therefore, I am requesting that you confirm that understanding by providing written confirmation to that effect.

If there are any questions, please let me know at your earliest convenience. Thank you for your cooperation.

Sincerely yours,

Anthony H. Brett

From: [Lightbourne, Ena](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] As we discussed, please see the attachment. Also, please confirm your receipt.
Date: Friday, May 12, 2023 2:13:26 PM
Attachments: [image156942.png](#)
[image304603.png](#)
[image688186.png](#)
[image029702.png](#)
[Heather Glen At Ardenwoods--CON Exemption Notice.pdf](#)

Tiffany can you log this? Thanks.

Ena Lightbourne

Certificate of Need, Project Analyst

Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section (*Currently, I am in the office on Thursdays and Fridays. For the rest of the week, I can be reached by email.*)

NC Department of Health and Human Services

Office: 919-855-4610

Ena.lightbourne@dhhs.nc.gov

809 Ruggles Drive, Edgerton Building

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From: Brett, Anthony <Anthony.Brett@wbd-us.com>
Sent: Friday, May 12, 2023 2:10 PM
To: Lightbourne, Ena <ena.lightbourne@dhhs.nc.gov>
Subject: [External] As we discussed, please see the attachment. Also, please confirm your receipt.

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Anthony Brett

Partner

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