



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

February 29, 2024

Carmen Marzella
cmarzella@marzellalawgroup.com

Exempt from Review – Acquisition of Facility

Record #: 4383
Date of Request: February 7, 2024
Facility Name: Helping Hands Assisted Living
Type of Facility: ACH
FID #: 921366
Acquisition by: Alpha Helping Hands Properties, LLC
Business #: 3798
County: Wayne

Dear Mr. 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,

Gregory F. Yakaboski
Project Analyst

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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

From: [Carmen J. Marzella, Esq.](#)
To: [Yakaboski, Greg](#)
Cc: [Juliet Okwoshah](#)
Subject: [External] Helping Hands
Date: Thursday, February 15, 2024 3:44:59 PM
Attachments: [image001.png](#)
[DHHS Prior Exemption Letter.pdf](#)

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Greg,

Thank you for speaking with me.

The structure of the deal as follows:

1. Dr. Juliet Okwoshah will acquire all of the Member Interest of Helping Hands Assisted Living, LLC, a North Carolina limited liability company, from Melissa Hinson Weaver, the current owner. The business name and services will remain intact, and Helping Hands Assisted Living, LLC will continue as the operator.

2. Alpha Helping Hands Properties, LLC, a North Carolina limited liability, which is owned entirely by Dr. Juliet Okwoshah, will acquire the real property on which Helping Hands Assisted Living, LLC operates, located at 2052 W US 70, Goldsboro, NC 27530, Tax Parcel Number 2680766522, from Michael Paul Weaver and Melissa Hinson Weaver.

3. Alpha Helping Hands Properties, LLC, as landlord, will execute a lease with Helping Hands Assisted Living, LLC, as tenant, for the lease of 2052 W US 70, Goldsboro, NC 27530, Tax Parcel Number 2680766522.

4. The Facility Identification Number is 921366, and the prior CON Waiver when Ms. Weaver acquired the facility is attached as a PDF file.

If you should have any additional questions, please do not hesitate to contact me.

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

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e: cmarzella@marzellalawgroup.com

signature_110815598

Confidentiality Notice: This e-mail message and any attachments are intended solely for the individual or individuals designated above and may contain confidential information subject to the attorney-client privilege. Thank you.
(www.marzellalawgroup.com)



February 8, 2024

Via Email– martha.waller@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: Martha Waller

**Re: Exemption Request by Helping Hands Assisted Living, LLC
Address: 2050 US 70, Goldsboro, NC 27530**

Dear Ms. Waller:

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 has entered into an agreement to acquire all of the assets and member interests of Helping Hands Assisted Living, LLC. 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 member interest in the entity, and thereby a change of owner to by Dr. Okwoshah, of an existing health service facility from Helping Hands Assisted Living, LLC.

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

A handwritten signature in black ink, appearing to read 'C. Marzella', is written over the printed name.

CARMEN J. MARZELLA

cmarzella@marzellalawgroup.com

CJM/c

cc: Juliet Okwoshah

From: [Carmen J. Marzella, Esq.](#)
To: [Waller, Martha K](#)
Cc: [Juliet Okwoshah](#)
Subject: [External] Helping Hands Assisted Living
Date: Thursday, February 8, 2024 10:00:24 AM
Attachments: [image001.png](#)
[DHHS_020824.pdf](#)

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Ms. Waller,

Please see the attached correspondence regarding a CON Waiver.

Thank you.

Carmen

Carmen Joseph Marzella

*Member NC and NJ Bars
Managing Partner*

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