



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

June 27, 2024

Gary S. Qualls
Gary.qualls@klgates.com

No Review

Record #: 4465
Date of Request: May 6, 2024
Facility Name: Atrium Health At Home Union
FID #: 955428
Business Name: Carolinas Medical Center at Home, LLC
Business #: 2433
Project Description: Relocate office within Union County
County: Union

Dear Mr. Qualls:

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,

Gregory F. Yakaboski
Project Analyst

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

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

K&L GATES

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May 6, 2024

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Via E-Mail

Micheala Mitchell, Chief
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
N.C. Department of Health and Human Services
809 Ruggles Drive
Raleigh, NC 27603

Re: No Review Request Regarding Relocation of Carolinas Medical Center at Home, LLC d/b/a Atrium Health At Home Union (License Number: HC1238)

Dear Ms. Mitchell:

Carolinas Medical Center at Home, LLC operates a licensed and Medicare-certified home health agency known as Atrium Health At Home Union (“Atrium”), which is currently located in Union County at 101 East Franklin Street, Monroe, NC 28112, License Number: HC1238 (the “Office”).

The purpose of this letter is to inform the North Carolina Department of Health and Human Services, Division of Health Service Regulation, Healthcare Planning and Certificate of Need Section (the “Agency”) that, on or about August 1, 2024 (“Effective Date”), the Office will relocate to 1423 East Franklin Street, Suite E, Monroe, NC 28112, which is a short distance away (approximately 2 miles) from its current location in the same city and county.

This is simply an address change. There will be no change in ownership. Both before and after the Effective Date, the Office has been and will continue to be operated by Carolinas Medical Center at Home, LLC.

We ask that the Agency confirm that this relocation is non-reviewable because it does not constitute a new institutional health service. Under North Carolina law, a CON is required only prior to offering or developing a “new institutional health service.” New institutional health services include a variety of services and activities, including constructing, developing, or establishing a new “home health agency office” under N.C. Gen. Stat. §§ 131E-176(9b) and 131E-176(16)(a).

Micheala Mitchell, Chief

May 6, 2024

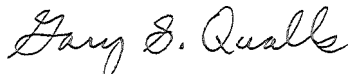
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However, relocating an existing home health agency office is reviewable only if either: (1) the cost to relocate the office exceeds \$4 Million (with CPI adjustments);¹ or (2) the office is relocated outside of the home health agency office's existing service area.²

Here, the Office relocation implicates neither CON trigger because the costs to relocate are projected to be less than \$100,000 (for minor renovations and cosmetic changes) and the new office will be in the same service area as the existing office. Therefore, please confirm that this proposed home health agency office relocation is not CON reviewable because it does not constitute a new institutional health service.

If you require additional information, please do not hesitate to contact me at the above number. Thank you in advance for your review of this request.

Sincerely,



Gary S. Qualls

¹ N.C. Gen. Stat. § 131E-176(16)(b).

² N.C. Gen. Stat. § 131E-176(16)(q).

From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] No Review Request Regarding Relocation of Carolinas Medical Center at Home, LLC d/b/a Atrium Health At Home Union
Date: Monday, May 6, 2024 3:22:11 PM
Attachments: [20240506134126.pdf](#)

Tiffany would you mind logging this and assigning to Greg?

Thanks,

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: Qualls, Gary <Gary.Qualls@klgates.com>
Sent: Monday, May 6, 2024 1:54 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Subject: [External] No Review Request Regarding Relocation of Carolinas Medical Center at Home, LLC d/b/a Atrium Health At Home Union

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Micheala:

Please accept the attached No Review Request Regarding Relocation of Carolinas Medical Center at Home, LLC d/b/a Atrium Health At Home Union (License Number: HC1238) in Union County.

Please acknowledge receipt for my records.

Thanks

Gary



Gary S. Qualls

Partner

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Morrisville, NC 27560

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