



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

September 6, 2024

Timothy Walsh
TWalsh@libertyseniorliving.com

No Review

Record #: 4444
Date of Request: April 19, 2024
Facility Name: Liberty Home Care and Hospice
FID #: 050521
Business Name: Liberty Home Care II, LLC
Business #: 2299
Project Description: Expand hospice services to Alexander, Burke, Caldwell, Haywood, Iredell, McDowell, Watauga, Wilkes and Yadkin counties
County: Davidson

Dear Mr. Walsh:

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 representation in your request and 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. **As a reminder, it is unlawful to offer or develop a new institutional health service without first obtaining a certificate of need. The Department reserves the right to impose sanctions, including civil penalties and the revocation of a license, upon any entity that offers or develops a new institutional health service without first obtaining a certificate of need.**

Please do not hesitate to contact this office if you have any questions.

Sincerely,

Ena Lightbourne, 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



LIBERTY HEALTH

2334 S. 41st Street • Wilmington, NC 28403
(910) 815-3122 • FAX: (910) 815-3111

April 19, 2024

VIA EMAIL ONLY

Gloria Hale, Team Leader
Ena Lightbourne, Project Analyst
NC Department of Health and Human Services
Division of Health Service Regulation
Healthcare Planning and Certificate of Need Section
2704 Mail Service Center Raleigh, NC 27699-2704

RE: REQUEST OF NO REVIEW – Provision of hospice home care services to Watauga, Yadkin, Wilkes, Haywood, Iredell, Burke, McDowell, Caldwell, and Alexander County residents by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice

Dear Gloria and Ena,

Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice, is a Medicare-certified hospice agency serving North Carolina patients from its location at 5 East Main Street, Thomasville, NC, 27360, in Davidson County.

We are writing to seek confirmation that a Certificate of Need (“CON”) is not necessary for our agency to extend hospice home care services to patients residing in Watauga, Yadkin, Wilkes, Haywood, Iredell, Burke, McDowell, Caldwell, and Alexander Counties.

Hospice home care services are essential for patients requiring hospice care outside of traditional inpatient facilities, such as their private residences, nursing homes, or hospitals. Liberty Home Care and Hospice seeks to extend these services to individuals in Watauga, Yadkin, Wilkes, Haywood, Iredell, Burke, McDowell, Caldwell, and Alexander County.

Upon thorough examination of relevant North Carolina statutes, particularly North Carolina General Statute 131E-176(16a), which stipulates a CON requirement for the establishment of new health service facilities, we wish to affirm that Liberty Home Care and Hospice's intended expansion does not fall under this requirement. Furthermore, as per North Carolina General Statute 131E-176(9b), defining a "health service facility," our proposal does not involve the construction or development of a hospice office, hospice inpatient facility, or hospice residential care facility. Instead, our services will be provided from our existing office in Thomasville, NC.

In light of the above, Liberty Home Care and Hospice respectfully requests the Healthcare Planning and Certificate of Need Section to acknowledge that our agency may extend hospice home care services to residents of Watauga, Yadkin, Wilkes, Haywood, Iredell, Burke, McDowell, Caldwell, and Alexander County.

Thank you for your attention to this matter. We are grateful for your cooperation and understanding as we strive to deliver essential healthcare services to our community.

Best Regards,

A handwritten signature in black ink that reads "Timothy Walsh". The signature is written in a cursive style with a large initial "T" and "W".

Timothy Walsh
Director of Business Development
Liberty Senior Living
TWalsh@libertyseniorliving.com
(910) 332-1982

From: [Lightbourne, Ena](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] RE: No Review Request by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice (License # HOS3051)
Date: Friday, April 19, 2024 8:51:25 AM
Attachments: [LHC II - Hospice No Review Letter to CON for Thomasville Expanded Services to Multiple Counties \(2024-04-19 - SUBMITTAL\).pdf](#)

Tiffany, can you log?

Ena Lightbourne
Project Analyst, CON
Healthcare Planning and Certificate of Need Section
Division of Health Service Regulation
[NC Department of Health and Human Services](#)

(I am in the office Thursdays and Fridays. I am working remotely on the other days, therefore email is typically the best way to reach me.)

Main: 919-855-3873
Ena.lightbourne@dhhs.nc.gov

809 Ruggles Drive, Edgerton Building
2704 Mail Service Center
Raleigh, NC 27699-2704

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From: Timothy J. Walsh <TWalsh@libertyseniorliving.com>
Sent: Friday, April 19, 2024 8:49 AM
To: Hale, Gloria <gloria.hale@dhhs.nc.gov>; Lightbourne, Ena <ena.lightbourne@dhhs.nc.gov>
Subject: [External] RE: No Review Request by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice (License # HOS3051)

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I received a kickback that the attachment may not have gone through, so sending hereto with a

shorter saved name to see if that will work.

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

TWalsh@libertyseniorliving.com

From: Timothy J. Walsh

Sent: Friday, April 19, 2024 8:42 AM

To: Hale, Gloria <gloria.hale@dhhs.nc.gov>; Lightbourne, Ena <ena.lightbourne@dhhs.nc.gov>

Subject: No Review Request by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice (License # HOS3051)

Good morning Gloria, Ena:

Please find attached a request of no review for the provision of hospice home care services to Watauga, Yadkin, Wilkes, Haywood, Iredell, Burke, McDowell, Caldwell, and Alexander County residents by Liberty Home Care II, LLC d/b/a Liberty Home Care and Hospice (License # HOS3051).

Please let me know if you need any additional information. Thanks!

Regards,

Timothy J. Walsh

Director of Business Development

Liberty Senior Living

Office: 910-332-1982

Mobile: 910-512-9191

TWalsh@libertyseniorliving.com

2334 S. 41st Street, Wilmington, NC 28403

Visit our website at www.LibertySeniorLiving.com



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