



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 26, 2024

Jane Feist
Jane.feist@hklaw.com

No Review

Record #: 4576
Date of Request: September 17, 2024
Facility Name: Surgical Center for Dental Professionals of Raleigh
FID #: 160154
Business Name: Surgical Center for Dental Professionals of Raleigh, LLC
Business #: 2384
Project Description: Change in corporate ownership structure
County: Wake

Dear Jane Feist:

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,

Crystal Kearney, 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

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Holland & Knight

Nashville City Center | 511 Union Street, Suite 2700 | Nashville, TN 37219 | T 615.244.6380 | F 615.244.6804
Holland & Knight LLP | www.hklaw.com

Jane Feist
+1 615-850-8748
Jane.Feist@hklaw.com

September 13, 2024

Via E-mail (micheala.mitchell@dhhs.nc.gov)

NC Department of Health and Human Services
Division of Health Service Regulation
809 Ruggles Drive, Edgerton Building
2704 Mail Services Center
Raleigh, NC 27699-2704
Attn: Micheala Mitchell, JD, Section Chief

Re: Notice of Proposed Transaction & Exemption Request - Surgical Center for Dental Professionals of NC, LLC (Lic. No. AS0162)

Dear Ms. Mitchell:

We are writing on behalf of Surgical Center for Dental Professionals of NC, LLC, a North Carolina limited liability company (the “Licensee”), which operates the licensed ambulatory surgery center located at 2620 New Bern Avenue, Raleigh, NC 27610 and holds Certificate of Need (“CON”) Project ID J-11170-16 and FID No. 160154 as well as License No. AS0162, to notify you of a proposed transaction. On or about October 13, 2024, Licensee plans to undergo a transaction whereby approximately 8% of its membership interests will be transferred to Blue Cloud Pediatric Surgery Centers, LLC, which currently holds 84.61% of the outstanding membership interests in the Licensee (the “Transaction”). Enclosed with this letter at Exhibit A are pre- and post-closing organizational charts that illustrate the resulting change to the Licensee’s ownership information.

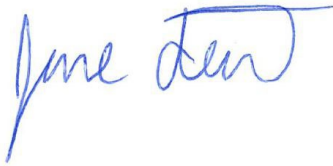
As a result of the Transaction, there will be no change to the Licensee’s legal name, business name, tax identification number, location, or services provided. Based on our review of the Department’s rules and regulations and written guidance received from your office, we understand that the Transaction is exempt from CON review. As such, we are submitting this letter to formally request written confirmation from the Department that the exemption from CON review applies and that no further action is required from the Licensee with respect to the CON program.

NC Department of Health and Human Services
Division of Health Service Regulation
September 13, 2024
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Should you have any questions or require additional information regarding the Transaction, this written request, or any information disclosed herein, please do not hesitate to contact me by email at jane.feist@hklaw.com or by telephone at (615) 850-8748. Please direct all written correspondence to my attention at 511 Union Street, Suite 2700, Nashville, TN 37219. Thank you in advance for your attention to this matter.

Sincerely yours,

HOLLAND & KNIGHT LLP

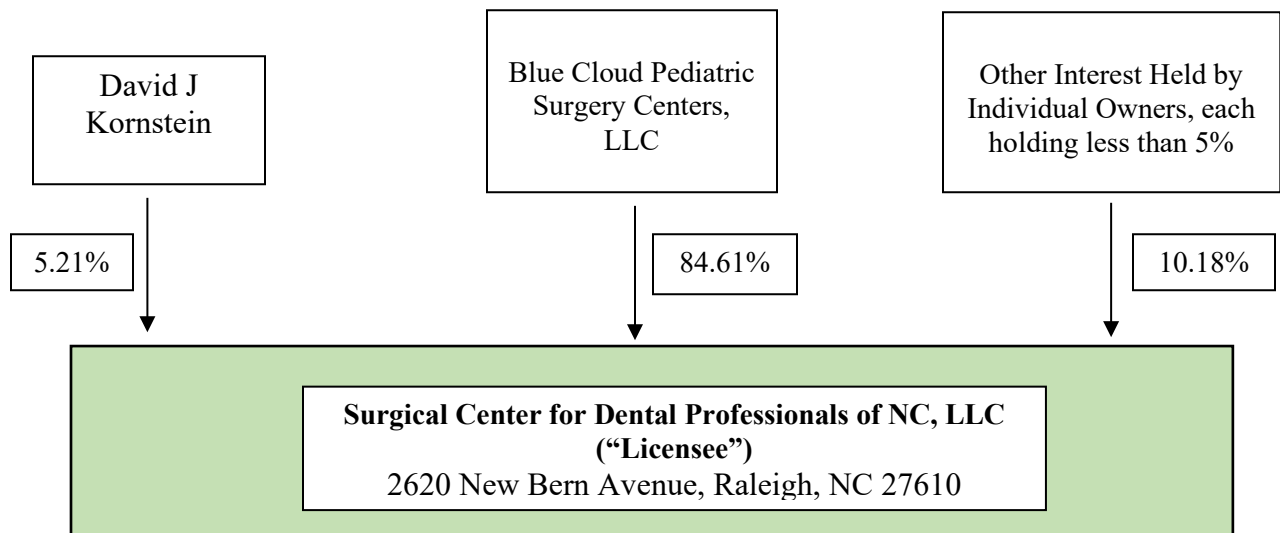
A handwritten signature in blue ink, appearing to read "Jane Feist". The signature is written in a cursive style with a prominent horizontal line across the top of the letters.

Jane Feist

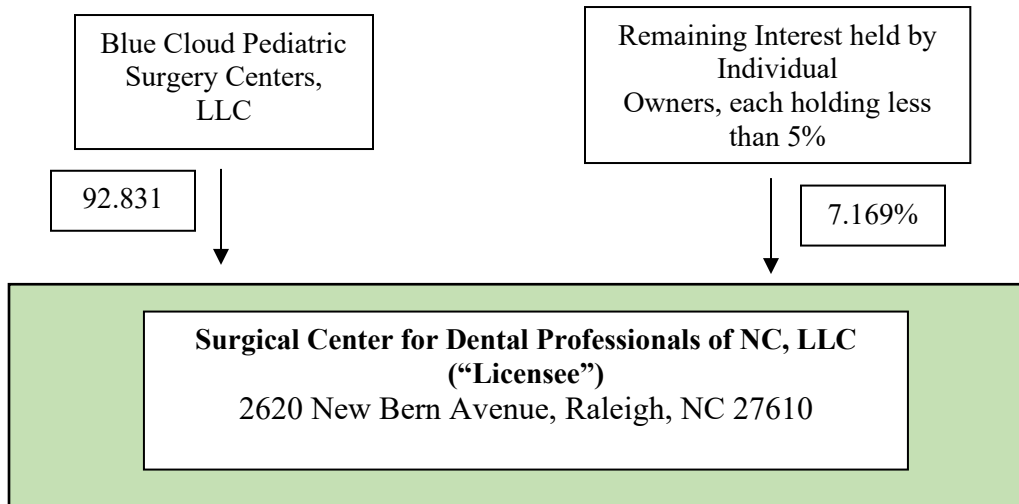
JEF

Exhibit A

PRE-CLOSE OWNERSHIP CHART



POST- CLOSE OWNERSHIP CHART



From: [Mitchell, Micheala L](#)
To: [Stancil, Tiffany C](#)
Subject: FW: [External] Surgical Center for Dental Professionals of NC, LLC Lic. No. AS0162-Notice Letter
Date: Monday, September 16, 2024 10:59:22 AM
Attachments: [CON Notice Letter\(508403805.3\).docx](#)

Tiffany-

Would you mind assigning this no review to Crystal?

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

From: Laurie.Glass@hklaw.com <Laurie.Glass@hklaw.com>
Sent: Friday, September 13, 2024 4:30 PM
To: Mitchell, Micheala L <Micheala.Mitchell@dhhs.nc.gov>
Cc: Jane.Feist@hklaw.com
Subject: [External] Surgical Center for Dental Professionals of NC, LLC Lic. No. AS0162-Notice Letter

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Attached please find the Notice of Proposed Transaction and Exemption Request for Surgical Center for Dental Professionals of NC, LLC. If you have any questions, please contact Jane Feist at jane.feist@hklaw.com or by telephone at 615.850.8748.

Thank you for your assistance in this matter.

Laurie Glass | Holland & Knight
Practice Assistant
Holland & Knight LLP
511 Union Street, Suite 2700 | Nashville, Tennessee 37219
Phone 615.850.8807 | Fax 615.244.6804

laurie.glass@hklaw.com | www.hklaw.com

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