



North Carolina Department of Health and Human Services  
Division of Health Service Regulation  
Mental Health Licensure and Certification

2718 Mail Service Center • Raleigh, North Carolina 27699-2718  
<http://www.ncdhhs.gov/dhsr/>

Beverly Eaves Perdue, Governor  
Lanier M. Cansler, Secretary

Stephanie Alexander, Chief  
Phone: 919-855-3795  
Fax: 919-715-8078

**VIA CERTIFIED MAIL**

February 8, 2010

Mr. Obi Achumba  
VAGAP Health, LLC  
PO Box 41505  
Raleigh, NC 27629

**RE: Summary Suspension of License to Operate  
VAGAP Health 2, 229 Apple Drupe Way, Holly Spring, NC 27540  
MHL# 092-753  
E-mail Address: obiachumba@hotmail.com**

Dear Mr. Achumba:

**AGENCY DECISION**

Pursuant to North Carolina General Statutes (N.C.G.S.) § 122C and 150B-3 (c), the Division of Health Service Regulation (DHSR), North Carolina Department of Health and Human Services (DHHS), HEREBY SUMMARILY SUSPENDS YOUR LICENSE TO OPERATE VAGAP Health 2. YOU ARE HEREBY DIRECTED TO CLOSE VAGAP Health 2. BY NO LATER THAN 5:00 O'CLOCK P.M. ON February 8, 2010 OR WHEN THE LAST CLIENT PLACEMENT HAS BEEN ARRANGED. The North Carolina Division of Mental Health, Developmental Disabilities, Substance Abuse Services, Wake County LME, and Wake County Department of Social Services have been notified.

**AGENCY FINDINGS**

This Summary Suspension is based on this agency's findings that conditions at VAGAP Health 2 present an imminent danger to the health, safety and welfare of the clients and that emergency action is required to protect the clients. This agency has identified the facility failed to be in substantial compliance with Rules for which they are licensed. The Rule citations include:

10A NCAC 27D .0304 Client Rights-Protection from Harm, Abuse and Neglect

This agency initiated a complaint survey on January 21, 2010 at which time deficiencies including administrative penalties were identified and the facility was verbally notified. The investigation is ongoing and additional deficient practice has been identified posing increased risks to the clients served. Therefore, it is the finding of this agency that the facility has neglected to provide services to assure the health, safety and welfare of the clients.



## APPEAL NOTICE

You have the right to contest this summary suspension of your license by filing a petition for a contested case hearing with the Office of Administrative Hearings (OAH) within sixty (60) days of the mailing of this letter. *Please write the facility's Mental Health License (MHL) number at the top of your petition.* For complete instructions on the filing of petitions, please contact OAH at (919) 431-3000.

Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh, NC 27699-6714

North Carolina General Statute § 150B-23 provides that you must also serve a copy of the petition on all other parties, which includes the Department of Health and Human Services. The Department's representative for such actions is Ms. Emery E. Milliken, General Counsel. This person may receive service of process by mail at the following address:

Ms. Emery E. Milliken, General Counsel  
Department of Health and Human Services  
Office of Legal Affairs  
2005 Mail Service Center  
Raleigh, NC 27699-2005

If you do not file a petition within the sixty (60) day period, you will lose your right to appeal this Summary Suspension.

In addition to your right to file a petition for a contested case hearing, N.C.G.S. § 150B-22 encourages the settlement of disputes through informal procedures. The Division of Health Service Regulation is available at the provider's request for discussion or consultation that might resolve this matter. To arrange for an informal meeting, you must contact DHSR at (919)-855-3815. Please note that the use of informal procedures does not extend the 60 days allowed to file for a contested case hearing as explained above.

Should you have any questions regarding any aspect of this letter, please do not hesitate to contact us at the Department of Health and Human Services, Division of Health Service Regulation, Mental Health Licensure and Certification Section, 2718 Mail Service Center, Raleigh, NC 27699-2718 or call Michiele Elliott at (919)-855-3815.

Sincerely,



Stephanie M. Alexander

Cc: DHSRreports@dhhs.nc.gov, DMH/DD/SAS  
Ramon Rojano, Director, Wake County Human Services  
Crystal Farrow, Director, Wake County DSS  
[ncdma.dhsrnotice@lists.ncmail.net](mailto:ncdma.dhsrnotice@lists.ncmail.net), Provider Enrollment DMA  
Karen Payne, NC Council of Community Programs  
Laurel Callis, Administrative Assistant  
File

