

Hill, Carol

From: Jeanean Foster <jFoster@epluscancercare.com>
Sent: Thursday, October 31, 2019 3:36 PM
To: Hill, Carol
Cc: Hanson, Latischa
Subject: [External_Sender] FW: Change of Control Notification: Rocky Mountain Oncology Center, LLC [WARNING - EXTERNAL EMAIL]
Attachments: RMOC - Lic 49-29254-01 - 2019 - ION Transaction - FILE COPY.pdf
Importance: High

Hello Carol,

Per the email thread below, Latischa Hanson recommended that I return to you the attached "Information Needed for Transfer of Control Application," for processing.

In a nutshell, our cancer treatment facility underwent an "indirect" change of ownership on June 24, 2019. Please note that our facility's Legal Name, Tax ID number, clinical and physicist personnel, and day-to-day operations, **did not change** as a result of the indirect ownership changes. Instead, the ownership changes took place at the "**Grandparent Level**" rather than at the "**Parent Level**."

Please process the enclosures at your earliest opportunity, and if you have any questions, feel free to reach out to me. My direct dial is (615) 783-1254.

Thank you!

Jeanean Foster



a subsidiary of



Jeanean Foster
Managed Care Supervisor

E+ Cancercare
104 Woodmont Blvd, Suite 500
Nashville, TN 37205
Tel: (615) 783-1254
Fax: (615) 783-1082

jfoster@epluscancercare.com

www.ion-llc.com

PUBLIC

- ☐ Immediate Release
☒ Normal Release

NON-PUBLIC

- ☐ A.3 Sensitive-Security Related
☐ A.7 Sensitive Internal
☐ Other: _____

Reviewer: RF Date: 11-6-19

Confidentiality Disclaimer: This email and any files attached to this email are confidential and intended solely for the use of the individual or entity to which it is addressed. If you are not the person or entity to whom this is addressed, or the person responsible for delivery of this email to the intended recipient, you have received this email in error. Any use, dissemination, distribution, forwarding, printing or copying of this email including attachments is strictly prohibited. In addition this email may contain private healthcare information which is protected by the federal Healthcare Insurance Portability and Accountability Act of 1996 (the "Act"). Your use of this information in any manner is your

agreement to abide by the Act and its promulgated rules and regulations. If you received this email in error, immediately delete it from your system without copying and notify the sender so that our records can be corrected.

From: Hanson, Latischa [mailto:Latischa.Hanson@nrc.gov]
Sent: Thursday, October 03, 2019 10:53 AM
To: Jeanean Foster <jFoster@epluscancercare.com>
Subject: Change of Control Notification: Rocky Mountain Oncology Center, LLC [WARNING - EXTERNAL EMAIL]
Importance: High

*****CAUTION! This email came from outside e+CancerCare. Do not open attachments or click links if you do not recognize the sender. If in doubt, contact ext.1250.*****

From: Hanson, Latischa
Sent: Thursday, October 03, 2019 10:52 AM
To: jfoster@epluscancercarecenter.com; mfernald@rockymountainoncology.com
Cc: Hill, Carol <Carol.Hill@nrc.gov>
Subject: Change of Control Notification: Rocky Mountain Oncology Center, LLC
Importance: High

Ms. Foster,

Rocky Mountain Oncology Center, LLC
6501 East Second Street
Casper, Wyoming 82603
NRC License No.: 49-29254-01
Docket No.: 030-37415

As per our telephonic discussion today, find included in this email the information needed to submit for change of control:

- Complete & submit the attached Change of Control form for our business name change. Here is the weblink to the **NUREG 1556 Series, Volume 15, Revision 1, (June 2016), Consolidated Guidance About Materials Licenses: Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses, Appendix E**:

<https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v15/>

Be sure to sign & date the document. You can submit it in pdf format back to our Licensing Assistant, Carol Hill at Carol.Hill@nrc.gov. Feel free to contact us, if you have any questions.

Thanks,

Latischa



Latischa Hanson, M.Sc., Health Physicist
USNRC/DNMS Region IV

1600 E. Lamar Blvd.
Arlington, TX 76011-4511

License # 49-29254-01

Information Needed for Transfer of Control Application (Includes Change of Name)

Source: NUREG-1556, Volume 15, Rev. 1

Include a contact name and either U.S. Nuclear Regulatory Commission (NRC) regional office or Headquarters telephone numbers for follow-up information, as required.

NRC Region: USNRC / DNMS Region IV
Telephone: (817) 200-1286

Contact: Latischa Hanson
Fax: (817) 200-1188

Definitions:

Control: Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and, thus, the direction of the activities under the license.

Transferee: A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

Information Needed for Transfer of Control

Licensees must provide full information and obtain NRC's **prior written consent** before transferring control of the license. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). **If any items are not applicable, so state.**

1. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. **Clearly identify when the amendment request is due to a name change only.**

a. *Pursuant to a Stock Purchase Agreement and Plan of Merger, dated June 24, 2019, (the "Agreement"), the Transaction involved the following elements:*

- i. *Rocky Mountain Oncology Center, LLC ("Company") recently underwent an **indirect** change of ownership ("Transaction"). The Company currently holds License No. 49-29254-01.*
- ii. *By way of background, the Company is a wholly owned subsidiary of e+ healthcare, LLC ("e+"). KEPL Group LLC ("KEPL") is the sole member of e+ (i.e., in other words, KEPL is the grandparent owner of the Company). On or about June 24, 2019, in connection with the Transaction, KEPL Group, LLC ("KEPL") finalized a Stock Purchase Agreement and Plan of Merger, pursuant to which KEPL underwent a 100% change of equity ownership.*
- iii. *Most notably, please be advised that following the Transaction, the **direct** owner of the Company (i.e., e+) remains the same, and the Company continues to operate its business in the ordinary course. To reiterate, the transaction was an **indirect** change of ownership, thus the Company's federal tax ID number, Legal Name, and personnel will not change.*

7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.

a. *The undersigned confirm the foregoing on behalf of themselves and the Licensee.*

8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.

a. *ION will abide by all constraints, conditions, requirements, representations, and commitments of the Licensee.*

9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.

a. *Not applicable; this is not a fuel cycle facility.*

Please contact our representatives listed below if you have any questions or require additional information.

Sincerely,

LICENSEE:

Rocky Mountain Oncology Center, LLC

By: 

Name: Robert B. Rhymer

Title: EVP & CCO

Date: 10/30/2019

LICENSEE CONTACT:

Name: Robert B. Rhymer

Mailing: 104 Woodmont Blvd, Suite 500, Nashville, TN 37205

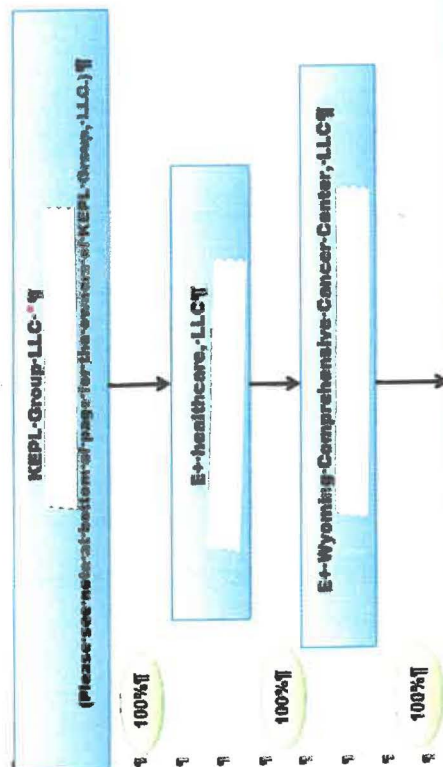
Phone: (615) 467-7400

Email: rrhymer@epluscancercare.com

:

Supporting Documents

Pre-Closing Diagram

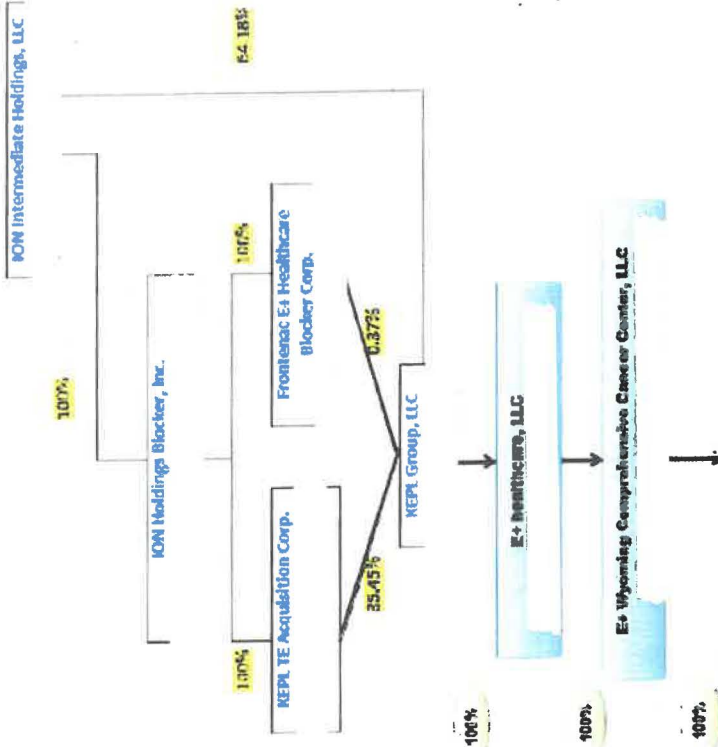


Rocky Mountain Oncology Center, LLC ¶
d/b/a Rocky Mountain Oncology Center ¶
Main Site: 4801 E. 2nd Street, Casper, WY 82609 ¶

MEMBERS: ¶

- RMOC Investments, LLC →
- WYMEDCO Ventures →
- John Purviance, MD →

Post-Closing Diagram



Rocky Mountain Oncology Center, LLC
d/b/a Rocky Mountain Oncology Center
Main Site: 4801 E. 2nd Street, Casper, WY 82609

MEMBERS:

- RMOC Investments, LLC
- WYMEDCO Ventures
- John Purviance, MD



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD
ARLINGTON, TX 76011-4511

October 12, 2018

Michael Fernald, M.S.
Radiation Safety Officer
Rocky Mountain Oncology Center, LLC
6501 East Second Street
Casper, WY 82609

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment Number 14 to NRC License Number 49-29254-01 providing NRC consent to the indirect transfer of control described in letter dated August 30, 2018 signed by the licensee's Executive Vice President and Chief Financial Officer. An environmental assessment for this licensing action is not required since this action is categorically excluded under 10 CFR 51.22(c)(21). You should review this license carefully and be sure that you understand all conditions. You can contact me at 817-200-1189 if you have any questions about this license.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement is not a regulation, it sets forth the agency's expectations for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

**The enclosure transmitted
herewith contains Official Use
Only – Security-Related
Information. When separated
from this enclosure, this
document is decontrolled.**

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
4. In accordance with 10 CFR 35.14, notify the NRC no later than 30 days after:
 - a. The date that the licensee permits an individual to work as an authorized user, an authorized nuclear pharmacist or an authorized medical physicist under 10 CFR 35.13(b)(1) through (b)(4);
 - b. An authorized user, an authorized nuclear pharmacist, a Radiation Safety Officer, or an authorized medical physicist permanently discontinues duties under the license or has a name change;
 - c. The licensee's mailing address changes;
 - d. The licensee's name changes, but the name change does not constitute a transfer of control of the license as described in 10 CFR 30.34(b); or
 - e. The licensee has added to or changed the areas of use identified in the application or on the license where byproduct material is used in accordance with either 35.100 or 35.200.
5. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;
 - c. Add or change the areas or address(es) of use identified in the license application or on the license, except for areas of use where byproduct material is used only in accordance with either 10 CFR 35.100 or 35.200; or
 - d. Change the name or ownership of your organization.

M. Fernald

-3-

6. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

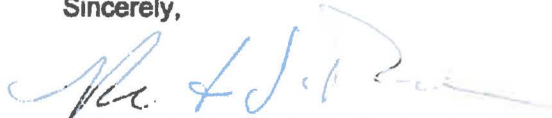
NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available at: www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html.

An electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web site at: www.nrc.gov/materials/miau/med-use-toolkit.html. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through the NRC's Agencywide Documents Access and Management System (ADAMS). The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

Thank you for your cooperation.

Sincerely,



Roberto J. Torres, M.S., Senior Health Physicist
Materials Licensing and Inspection Branch

Docket: 030-37415
License: 49-29254-01
Control: 609868

Enclosure: As stated

6 1 6 9 0 4



ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee

Robert B. Rhymer, EVP & CCO
Rocky Mountain Oncology Center, LLC
6501 East Second Street
Casper, WY 82609

Date

11/05/2019

License Number(s)

49-29254-01

Mail Control Number(s)

616904

Licensing and/or Technical Reviewer or Branch

C. Hill

This is to acknowledge receipt of your: ☒ Letter and/or ☐ Application Dated: 10/31/2019

The initial processing, which included an administrative review, has been performed.

☒ Amendment ☐ Termination ☐ New License ☐ Renewal

☐ There were no administrative omissions identified during our initial review.

☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

☐ Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
Follow the instructions on the form for submission.

☐ The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region IV
U. S. Nuclear Regulatory Commission
DNMS/NMSB - B
1600 E. Lamar Boulevard
Arlington, TX 76011-4511
(817) 200-1103 or (817) 200-1140

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM WBL

Program Code: 02230
Status Code: Pending Amendment
Fee Category: 7C
Exp. Date: 06/30/2032
Fee Comments:
Decom Fin Assur Req'd: N

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: Rocky Mountain Oncology Center, LLC
Received Date: 10/31/2019
Docket Number: 3037415
Mail Control Number: 616904
License Number: 49-29254-01
Action Type: Change of Control

2. FEE ATTACHED

Amount: _____

Check No.: _____

3. COMMENTS

Signed: _____

Date: _____

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / /)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:

Amendment: _____

Renewal: _____

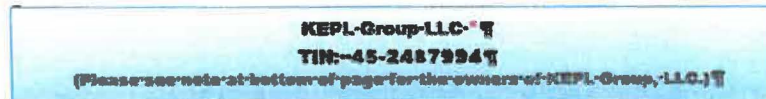
License: _____

3. OTHER _____

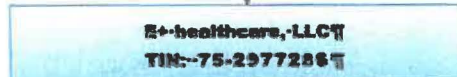
Signed: _____

Date: _____

Pre-Closing Diagram

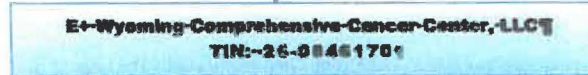


¶ 100% ¶



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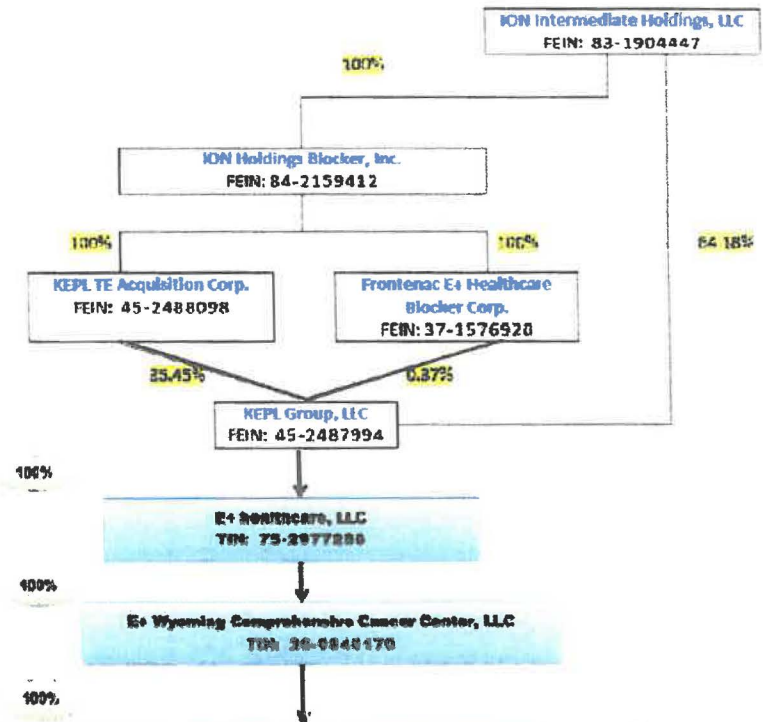
¶ 100% ¶

Rocky Mountain Oncology Center, LLC ¶
d/b/a Rocky Mountain Oncology Center ¶
Main Site: 6501 E. 2nd Street, Casper, WY 82609 ¶
TIN: 73-1684200 ¶

MEMBERS: ¶

→ **RNOC Investments, LLC** → → → → TIN: 20-4294823
→ **WYMEDCO Ventures** → → → → TIN: 83-0281137
→ **John Parvance, MD** → → → → SSN: 041-70-7713

Post-Closing Diagram



Rocky Mountain Oncology Center, LLC
d/b/a Rocky Mountain Oncology Center
Main Site: 6501 E. 2nd Street, Casper, WY 82609
TIN: 73-1684200

MEMBERS:

RNOC Investments, LLC TIN: 20-4294823
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