

## **CHARITABLE USE OF ASSETS**

### **§ 999.5(d)(4)(A)**

*The applicant's articles of incorporation and all amendments thereto and current bylaws, any charitable trust restrictions, and any other information necessary to define the charitable trust purpose of the applicant's assets.*

Under the provisions of NCL § 9142(c), the assets of DCHS and the Hospital Corporations, as assets held by religious corporations, are not impressed with any express or implied charitable trusts unless received in a manner described in NCL §§ 9142(c)(1) through (3).

Please see the attached Articles of Incorporation and Bylaws for DCHS and for St. Vincent Medical Center (“SVMC”). SVMC holds eleven funds which may have temporary or permanent donor restrictions which may fall under § 9142(c). These funds, including the amount in each fund, may be found in Exhibit A. Documentation exists regarding the restrictions for seven of the 11 funds (Exhibits B through H). However, documentation of the type, form or content of restrictions on the remaining four funds is not available despite a diligent search of corporate records.