



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

August 18, 2014

James Doyle, MD
Inland Empire Gastroenterology, PS
105 West 8th Avenue, #6050
Spokane, Washington 99204

Dear Dr. Doyle:

RE: DOR 15-06

The Department of Health has completed its review of your exemption request regarding the establishment of an ambulatory surgery center in Spokane, within Spokane County. Below is the information considered and the facts relied upon by the department's Certificate of Need Program in reaching its conclusion regarding your project.

INFORMATION CONSIDERED

- Ambulatory Surgery Center exemption application received July 29, 2014
- Revised Code of Washington (RCW) 70.38
- Washington Administrative Code (WAC) 246-310
- Washington Secretary of State and Department of Revenue information obtained from the respective websites
- Department of Health external provider look-up
- Department of Health Integrated Licensing and Regulatory System (ILRS)
- Certificate of Need historical files

FACTS CONSIDERED

- On March 10, 1998, the professional service corporation known as Inland Empire Gastroenterology, PS was established with the Washington Secretary of State's office. [source: Secretary of State website]
- On September 1, 1998, the corporation was registered with the Washington Department of Revenue. [source: Department of Revenue website]
- Inland Empire Gastroenterology, PS is a practice owned by two physicians and located at 105 West 8th Avenue, #6050 in Spokane [99204], within Spokane County.
- Credential information on the two owning physicians is on the following page.

Name	Credential Status	Practice Status
James Thomas Doyle	Active	50% Owner
Joseph Duncan Fitterer	Active	50% Owner

- This exemption application requests establishment of an ambulatory surgery center (ASC) at the 105 West 8th Avenue, #6050 in Spokane site. The ASC is located in dedicated space with the clinical practice.
- The ASC is operated under the professional corporation of Inland Empire Gastroenterology, PS.
- At this time, only the two owning physicians intend to use the ASC. Future owners or employees may have access to the ASC.
- The procedures include those typically associated with gastroenterology and endoscopy services.
- The ASC will not be operated as a separate legal entity from the professional corporation or practice of Inland Empire Gastroenterology, PS.
- No management agreement is proposed.

CONCLUSION

Based on the totality of information considered, the department concludes the proposed ASC would be exempt from Certificate of Need review. This exemption is not transferable and the conclusions reached concerning this proposed ASC are based on the facts about this facility and it should not be assumed the department would reach the same conclusion in future exemption requests for other future ASCs.

If changes are made in the operation or ownership of this proposed ASC, the ASC may no longer be eligible for this exemption. In that case, prior Certificate of Need review and approval or new exemption would be required. Examples of such changes include the following. This list is not intended to be all inclusive.

- The scope of services is expanded to include services subject to Certificate of Need review under the provisions of WAC 246-310-020.
- The provision of any procedure as identified under WAC 246-310-705(4).
- The ASC is operated under a management agreement.
- The ASC is organized as a separate legal entity from the practice.
- The ASC is moved to a different site than identified in the exemption application.
- Use of the ASC is extended to any physician who is not a member or employed by Inland Empire Gastroenterology, PS.
- The ASC ceases operations or relinquishes its Medicare certification and then chooses to resume services as an ASC.
- The ASC or the practice is purchased or leased.
- ASC patients are routinely transferred from the ASC for observation care at one of the area's hospitals.

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APPEAL OPTIONS

This decision may be appealed. The two appeal options are listed below.

Appeal Option 1:

You or any interested or affected person may request a public hearing to reconsider this decision. The request must state the specific reasons for reconsideration in accordance with Washington Administrative Code 246-310-560. A reconsideration request must be received within 28 calendar days from the date of the decision at one of the addresses below.

Mailing Address:

Department of Health
Certificate of Need Program
Mail Stop 47852
Olympia, WA 98504-7852

Other Than By Mail

Department of Health
Certificate of Need Program
111 Israel Road SE
Tumwater, WA 98501

Appeal Option 2:

You or any affected person with standing may request an adjudicative proceeding to contest this decision within 28 calendar days from the date of this letter. The notice of appeal must be filed according to the provisions of Revised Code of Washington 34.05 and Washington Administrative Code 246-310-610. A request for an adjudicative proceeding must be received within the 28 days at one of the addresses below.

Mailing Address:

Department of Health
Adjudicative Service Unit
Mail Stop 47879
Olympia, WA 98504-7879

Other Than By Mail

Department of Health
Adjudicative Service Unit
111 Israel Road SE
Tumwater, WA 98501

Please call me at (360) 236-2957 if you have any questions regarding this determination.

Sincerely,



Karen Nidermayer, Analyst
Certificate of Need Program
Community Health Services