



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

November 26, 2014

Saravanan Kasthuri, MD
Columbia Interventional Radiology Consulting, PS
925 Stevens Drive, #1F
Richland, Washington 99352

RE: DOR #15-14

Dear Dr. Kasthuri:

The Department of Health (department) has completed the review of your request under Washington Administrative Code (WAC) 246-310-050 for an exemption regarding the proposed ambulatory surgery center in Richland, within Benton County. Below is the information considered and the facts relied upon by the Certificate of Need Program in reaching its conclusion regarding your project.

INFORMATION CONSIDERED

- Ambulatory Surgery Center (ASC) exemption application received September 5, 2014
- Supplemental information received November 24, 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

- Columbia Interventional Radiology Consulting, Inc., PS has been registered with the Washington State Secretary of State's office as a professional corporation since November 30, 2012. The corporation's governing officers are Saravanan Kasthuri, President and Vasavi Rajagopal, Secretary.
- The corporation has been registered with the Department of Revenue since March 1, 2013.
- The current practice site of Columbia Interventional Radiology Consulting, Inc., PS is 925 Stevens Drive, #1F in Richland [99352].
- Columbia Interventional Radiology Consulting, Inc., PS intends to relocate the practice to a new, not-yet-constructed building at 1341 Spaulding Avenue in Richland [99352]. Once the practice is relocated, the Stevens Drive site will no longer be used as a practice site for Columbia Interventional Radiology Consulting, Inc., PS.

- This application proposes establishment of an exempt ASC at the new practice site on Spaulding Avenue.
- The exemption application identifies only the owning physician, Saravanan Kasthuri, would have access to the surgery center.
- The proposed ASC would be operated under the corporation of Columbia Interventional Radiology Consulting, Inc., PS, and under a d/b/a of **Northwest Endovascular Surgery**.
- Procedures to be performed at the ASC are those typically associated with vascular and non-vascular interventional radiology procedures. An explanation of the types of procedures and a listing of most common procedures was provided in the application.
- The proposed ASC would not be operated under a management agreement.
- The Department of Health's Construction Review Services office is currently reviewing the surgery center project for construction compliance.¹

CONCLUSION

Ambulatory surgery facilities (ASF), subject to CN review, are defined in WAC 246-310-010(5) to mean *“any free-standing facility, including an ambulatory surgery center that operates primarily for the purpose of performing surgeries not requiring hospitalization. The term does not include a facility in the offices of private physicians or dentists, whether for individual or group practice if the facility is not extended to physicians or dentists outside the individual or group practice.”*

Based on the totality of information considered, the department concludes the proposed ASC would be exempt from Certificate of Need review under the second sentence stated above. 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/owner or employed by Columbia Interventional Radiology Consulting, Inc., PS.
- The ASC ceases operations and then chooses to resume services as an ASC.
- The ASC or the practice is purchased or leased.

¹ CRAS #60507835.

Saravanan Kasthuri, MD
Columbia Interventional Radiology Consulting, PS
DOR #15-14
November 26, 2014
Page 3 of 3

- ASC patients are routinely transferred from the ASC for observation care at one of the area's hospitals.

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.

<u>Mailing Address:</u>	<u>Physical Address</u>
Department of Health	Department of Health
Certificate of Need Program	Certificate of Need Program
Mail Stop 47852	111 Israel Road SE
Olympia, WA 98504-7852	Tumwater, WA 98501

Appeal Option 2:

You 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 listed on the following page.

<u>Mailing Address:</u>	<u>Physical Address</u>
Department of Health	Department of Health
Adjudicative Service Unit	Adjudicative Service Unit
Mail Stop 47879	111 Israel Road SE
Olympia, WA 98504-7879	Tumwater, WA 98501

If you have any questions, you can e-mail me at karen.nidermayer@doh.wa.gov or call me directly at (360) 236-2957.

Sincerely,



Karen Nidermayer, Analyst
Certificate of Need Program
Community Health Systems

cc: Department of Health, Investigations and Inspections Office
Department of Health, Construction Review Services