



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

Certificate of Need Program
111 Israel Road Southeast – MS 4-7852
Olympia, Washington 98504

October 23, 2014

Robert Wright, MD
Meridian Surgical Services
208 17th Avenue Southeast, #201
Puyallup, Washington 98372

RE: DOR 15-15

Dear Dr. Wright:

The Department of Health has completed the review of your exemption request regarding the proposed ambulatory surgery center in Puyallup, within Pierce 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 18, 2014
- Supplemental information received October 15, 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 February 14, 2007, Robert Wright, MD established the Washington State perpetual corporation known as Robert C. Wright, MD, PS. [source: Secretary of State website]
- On March 4, 2011, Robert Wright, MD obtained a solo practice exemption from Certificate of Need review for the establishment of an ASC known as Meridian Surgery Center.¹
- Meridian Surgery Center is not a separate legal entity from Robert C. Wright, MD, PS.

¹ DOR #11-18A

- On November 1, 2011, Dr. Wright obtained a timeshare exemption from Certificate of Need review for the establishment of an ASC with Nancy Becker, DO of Auburn Outpatient Surgery Center, LLC.² On January 30, 2013, the timeshare arrangement was terminated.
- On March 12, 2013, Dr. Wright obtained a timeshare exemption from Certificate of Need review for the establishment of an ASC with James Rifenberg, MD of Center for Minimally Invasive Surgery.³ On April 10, 2014, the timeshare arrangement was terminated.
- Meridian Surgery Center continues to be located at 208 – 17th Avenue Southeast, #202 in Puyallup [98372], within Pierce County.
- This exemption application proposes sole use of an exempt ASC by the corporation known as Robert C. Wright, MD, PS. No timeshare arrangement is requested.
- Two physicians would have access to the proposed ASC. The physicians are listed below.

Name	Credential Status	Practice Status
Robert Charles Wright	Active	Owner/Employee
Brian Robert Nelson	Active	Member/Employee

- The proposed ASC would be operated under the corporation of Robert C. Wright, MD, PS.
- Procedures to be performed at the ASC are those typically associated with general surgery, such as hernia repair and thyroid procedures. A listing of most common procedures was provided in the application.
- The proposed ASC would not be operated under a management agreement.

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.

² DOR #12-04

³ DOR #13-29

- 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 Robert C. Wright, MD, 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.

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

Physical Address

Department of Health
Certificate of Need Program
111 Israel Road SE
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.

Mailing Address:

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

Physical Address

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

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Meridian Surgical Services
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If you have any follow up questions, you can e-mail me at karen.nidermayer@doh.wa.gov or call me directly at 360-236-2957.

Sincerely,

A handwritten signature in blue ink that reads "Karen Nidermayer". The signature is written in a cursive style with a long horizontal stroke at the end.

Karen Nidermayer, Analyst
Certificate of Need Program
Community Health Systems