



STATE OF WASHINGTON  
**DEPARTMENT OF HEALTH**

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

June 10, 2016

Jason Wright, DO  
Wright Surgical Arts, LLC  
5908 Bedford Street, #B  
Pasco, Washington 99301

RE: Determination of Reviewability [DOR] 16-28

Dear Dr. Wright:

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

**INFORMATION CONSIDERED**

- Ambulatory Surgery Center (ASC) exemption application received April 20, 2016
- Supplemental information received May 31, 2016
- Supplemental information received during a phone call with practice coordinator, Alisha Greenaway on June 9, 2016
- 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 24, 2015, Wright Surgical Arts, LLC was established as a limited liability corporation with the Washington Secretary of State's office. The corporation is governed by one member: Jason Wright. [source: Secretary of State website]
- Wright Surgical Arts, LLC has been registered with the Washington State Department of Revenue since April 1, 2015. [source: Department of Revenue website]

- Wright Surgical Arts, LLC has one practice site located 5908 Bedford Street, suite B in Pasco [99301], within Franklin County. The surgery center is located at the same address in suite D.
- The ASC will be operated under the practice corporation of Wright Surgical Arts, LLC.
- Only the sole owning physician, Jason Wright, will use the ASC. Future owners or employees may have access to the ASC.<sup>1</sup> A table with specific physician credentialing information and practice association is below.

Name	Credential Status	Practice Status	Percent of Time
Jason David Wright	Active	Member	100%

- The procedures proposed include those typically associated with cosmetic surgery, such as breast augmentation/reduction; liposuction; and facelifts. A listing of common procedures is included in the exemption application.
- The ASC will not be operated as a separate legal entity from the Wright Surgical Arts, LLC practice.
- 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/owner or employed by Wright Surgical Arts, LLC.
- Use of the ASC is extended to any physician that is an independent contractor.
- The ASC obtains a new or separate Medicare certification from the clinical practice.

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<sup>1</sup> Employed physicians must be employed by the Wright Surgical Arts, LLC practice a minimum of 75% and perform their full range of services through Wright Surgical Arts, LLC practice.

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- 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 OPTION**

This decision may be appealed. You or any 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 listed on the following page.

Mailing Address:

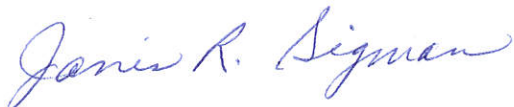
Department of Health  
Adjudicative Service Unit  
Mail Stop 47879  
Olympia, WA 98504-7879

Physical Address

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

If you have any questions or would like to arrange for a meeting to discuss this decision, please call me at (360) 236-2955.

Sincerely,



Janis Sigman, Manager  
Certificate of Need Program  
Community Health Systems