



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

April 5, 2021

Camille Miller, M.D., F.A.C.S., Owner
Parkway General Surgeons, PLLC
2940 Squaticum Parkway
Bellingham, WA 98225

Sent via email: rwingdler@hinet.org

RE: Determination of Reviewability #19-21

Dear Dr. Miller:

The Department of Health has completed its review of the determination of reviewability (DOR) request submitted by Parkway General Surgeons, PLLC. No action has been taken on your request up to this point, as the department was awaiting responses to screening. However, upon reviewing the documents already submitted, the department has sufficient information to evaluate your request. The request proposes exemption from Certificate of Need review for the operation of an existing ambulatory surgery center (ASC) in Bellingham within Whatcom County.

BACKGROUND AND FACTS

The following information was considered during the review process, and is recorded here for historical purposes:

- Parkway Surgical Center, LLC, is a limited liability corporation.
- Camille Miller, MD has a 50% ownership of Parkway Surgical Center, LLC and Keith Vandergriend, MD, has a 50% ownership of Parkway Surgical Center, LLC.
- Parkway Surgical Center, LLC clinical practice and surgical facility are currently owned by separate legal entities.
- Parkway General Surgeons, PLLC clinical practice is operated under Unified Business Identifier [UBI] #602-762-505; and FEIN #26-1639183.
- Parkway Surgical Center, LLC surgical facility is operated under the UBI #601-885-418; and FEIN #26-1639183.
- Within this DOR request, Parkway Surgical Center, LLC and Parkway General Surgeons, PLLC stated their intention to merge and operate under UBI #602-762-505 – the clinical practice – by approximately June 2020. As of the writing of this evaluation, both UBIs are active according to the Washington State Secretary of State's website.

- Parkway Surgical Center, LLC, surgical facility and Parkway General Surgeons, PLLC, clinical practice current physical address is: 2940 Squaticum Pkwy, Suite 204, Bellingham, WA 98225.
- Parkway Surgical Center, LLC has one operating room.
- Clinical and surgical services provided at Parkway Surgical Center, LLC include those typically associated with general surgery, including gastroenterology and hernia care.

RELEVANT CRITERIA

The department reviews requests for compliance with the following:

- Applicable sections of both Revised Code of Washington 70.38 and Washington Administrative Code 246-310; and
- The Washington State Department of Health's Interpretive Statement CN 01-18¹

THE PRIMARY PURPOSE OF THE FACILITY

Following the merger of the clinical practice and surgery center:

- The anticipated revenue from surgical services provided at surgery center will be approximately 42.9% of the total revenue generated by the facility.
- The anticipated patient visits for surgical services provided at the surgery center will be approximately 11.4% of the total patient visits to the facility.

These percentages are based on the amounts represented in the application, which are reflective of 2018 actuals. These percentages are reasonable because they are based on the actual experience of the surgery center.

CONCLUSION

Based on the totality of information in the request for determination of reviewability, screening responses, resulting research, the department concludes that the operation of the surgery center associated with Parkway General Surgeons, PLLC does not require a Certificate of Need at this time, contingent on the merger of Parkway Surgical Center, LLC and Parkway General Surgeons, PLLC. Once the merger closes, provide confirmation of this to the department for our records. Within one month of this decision, provide the department with your expected timeline for the merger.

CHANGES THAT MAY AFFECT THIS DECISION

A facility can make changes that may impact the primary purpose of the facility. Such as, if the revenues or patient visits related to surgical services begin to regularly exceed half of the facility's operations. Changes, including but not limited to the following, will likely either prompt Certificate of Need review or necessitate a new determination of reviewability:

- A change of ownership;
- Operational changes;

¹ Approved by the Washington State Secretary of Health, John Wiesman, DrPH, MPH, effective January 19, 2018

Camille Miller, M.D., F.A.C.S., Owner
Parkway General Surgeons, PLLC
Determination of Reviewability #19-21
April 5, 2021
Page 3 of 3

- Expansion of services;
- The addition of operating rooms;
- A change in location; or
- If the physicians or use of the facility change, resulting in different total revenues or visits.

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 determination, please call (360) 236-2955.

Sincerely,



Eric Hernandez, Program Manager
Certificate of Need
Community Health Systems