



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

July 13, 2022

Casey Stowell, Regional Vice President – Pacific Northwest
Fresenius Medical Care North America
20900 SW 115th Avenue, Suite 190
Tualatin, OR 97062

Sent via email: Casey.Stowell@fmc-na.com

RE: Returning CN Applications #23-02 and #23-03

Casey Stowell:

On July 1, 2022, the Certificate of Need Program received PDFs of the following Nonspecial Circumstance applications listing you as the primary contact and responsible officer.

CN #23-02	FKC Cowlitz	Facility relocation	Cowlitz County
CN #23-03	FKC Cascade Peak	Establish a new facility	King Nine

[WAC 246-310-806](#)(1) provides the timelines for submission of kidney dialysis applications. Year 2022 Cycle 1 Special and Nonspecial Circumstance timelines were modified by emergency rulemaking by the department.¹ Under the modified schedule, 2022 Nonspecial Circumstance Cycle 1 applications were due on or by July 1.

We received the two checks associated with these applications for the appropriate fee amounts prior to the application deadline of July 1, 2022. However, on July 12, 2022, we received notice from our revenue team that both checks were returned by the issuing bank designated as “*Not authorized/Ineligible*”.

[WAC 246-310-990](#)(1) states in part:

“An application for a certificate of need under chapter 246-310 WAC must include payment of a fee consisting of the following:

(a) A review fee based on the facility/project type”

Since neither CN application #23-02 nor #23-03 has an associated fee that was timely received, the Certificate of Need Program is returning both year 2022 Cycle 1 Nonspecial applications with no further action. Additionally, since no fee was collected, no refund is necessary.

¹ In partnership with Comagine and ESRD providers, the department determined that a delay in the Cycle 1 timeline was necessary to allow for data corrections and a reliable report to be received from Comagine.

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As you are aware the King Nine planning area received two other applications; if you are interested in continuing to be on the distribution list for these projects, you will need to let the assigned analysts know.

If you have any questions regarding the return of your application, please call me at (360) 236-2955.

Sincerely,



Eric Hernandez, Program Manager
Certificate of Need
Office of Community Health Systems

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