



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

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

July 31, 2017

Thomasin Hammer, DPM
Inland Northwest Surgery Center, PLLC
526 North Mullan Road, #A
Spokane, Washington 99206

RE: Determination of Reviewability [DOR] 17-20

Dear Dr. Hammer:

The Department of Health has completed its review of your exemption request regarding the establishment of an ambulatory surgery center in Spokane Valley, within Spokane 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 June 5, 2017
- Supplemental information received July 5, 2017
- 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)
- Department of Health Construction Review Services projects: #60629584, #60693640, and #60743478
- Family Foot Center website at www.familyfootctr.com
- Certificate of Need historical files

FACTS CONSIDERED

- Inland Northwest Surgery Center, PLLC has been registered with the Washington Secretary of State's office since April 19, 1996.
- The Amended and Restated Operating Agreement of Inland Northwest Surgery Center, PLLC identifies two owners of the corporation each with 50% ownership. The two owners are Brent Clark, DPM and Thomasin Hammer, DPM.
- Inland Northwest Surgery Center, PLLC has been registered with the Department of Revenue since December 1, 1996.

- With this application, Inland Northwest Surgery Center, PLLC intends to establish an ambulatory surgery center (ASC) in Spokane Valley, within Spokane County. The exemption application identifies the following two practice sites for Inland Northwest Surgery Center, PLLC.

Address	City	Zip
526 North Mullan Road, #B,	Spokane Valley	99206
714 West Pines	Newport	99156

- The main clinical practice is located at the Spokane Valley site identified above. The surgery center is also located at this site.
- The Newport site is a visiting clinic located within Newport Community Hospital. The visiting clinic has examination rooms and minimal supplies. The site is used approximately two times each month and was established for convenience of area patients. The site is not a full service practice site and does not include an ambulatory surgery center.
- The ASC in Spokane Valley will be operated under the corporation and Unified Business Identifier [UBI] number of Inland Northwest Surgery Center, PLLC.¹
- As of July 31, 2017, two physicians intend to use the ASC. Future owners or employees may have access to the ASC.² A table with specific physician credentialing information and practice association is in the table below.

Name	Credential Status	Practice Status	Percent of Time
Brent Clark, DPM	Active	50% Owner	100%
Thomasin Hammer, DPM	Active	50% Owner	100%

- The Inland Northwest Surgery Center, PLLC website identifies a third physician associated with the practice, Dr. Nicholas Tanner. Dr. Tanner intends to retire as of July 31, 2017, and will not use the surgery center.
- The procedures proposed at the surgery center include those typically associated with podiatric procedures, such as fractures, injuries, and skin conditions.
- The ASC will not be operated as a separate legal entity from the Inland Northwest Surgery Center, PLLC 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

¹ Inland Northwest Surgery Center, PLLC UBI number is 601706837.

² Employed physicians must be employed by Inland Northwest Surgery Center, PLLC a minimum of 75% and perform their full range of services through Inland Northwest Surgery Center, PLLC.

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 scope of services is expanded beyond the services as identified in the Certificate of Need exemption application.
- 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 or obtains a separate UBI number from Inland Northwest Surgery Center, PLLC.
- 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 Inland Northwest Surgery Center, PLLC.
- 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.
- 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.

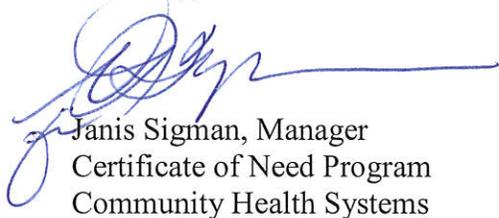
Mailing Address:
Department of Health
Adjudicative Service Unit
Mail Stop 47879
Olympia, WA 98504-7879

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

Thomasin Hammer, DPM
Inland Northwest Surgery Center, PLLC
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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