



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
*PO Box 47852 • Olympia, Washington 98504-7852*

February 14, 2018

CERTIFIED MAIL # 7014 2120 0002 7627 2346

Spencer Michael, Chief Executive Officer  
Northwest Eye Surgeons  
10330 Meridian Avenue N. Suite 370  
Seattle, WA 98133—9451

RE: Certificate of Need Application #17-29

Dear Mr. Michael:

Enclosed is Certificate of Need #16131 issued to N.W. Eye Surgeons, PC approving the establishment of an ambulatory surgery center in Seattle within southeast King County secondary health services planning area.

The certificate is not an approval for any other local, federal, or state statutes, rules, or regulations. Such a project may also need Department of Health approval for a construction plan and facility licensing or certification, as well as other federal or local jurisdiction permits.

The Certificate of Need is valid for two years. The project must begin during this time. If there is substantial and continuing progress, we may extend the certificate for one six month period. For an extension, you must submit an extension request at least 120 days before the expiration. You cannot begin a project after the expiration date.

This decision may be appealed. The appeal options are listed below.

Appeal Option 1:

Any person with standing 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 following addresses:

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:

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 following addresses:

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

We monitor projects until completed or the expiration date, whichever occurs last. We do this with quarterly progress reports. At least 30 days before the report's due date, you will receive a form to complete and return.

If you have any questions, please contact Janis Sigman, Manager of the Certificate of Need Program at (360) 236-2955.

Sincerely,



Nancy Tyson, Executive Director  
Health Facilities and Certificate of Need  
Washington State Department of Health

Enclosure



This Certificate is granted under the authority of RCW 70.38. Issuance of this Certificate does not constitute approval under any other local, federal or state statute, implementing rules and regulations. Examples where additional approval may be necessary include, but are not limited to, construction plan approval through the Construction Review Unit of the Department of Health, facility licensing/certification through the Department of Social and Health Services or Department of Health, and other federal or local jurisdiction permits.

Certificate of Need #1631 is issued to:

**Legal Name of Applicant:** N.W. Eye Surgeons, PC  
**Address of Applicant:** 10330 Meridian Avenue North, Suite 370, Seattle, WA 98133  
**Type of Service:** Ambulatory Surgery Center  
**Facility Name:** N.W. Eye Surgeons, PC  
**Facility Address:** 1412 SW 43<sup>RD</sup> Street, Suite 310, Renton, WA 98057

**ISSUANCE OF THIS CERTIFICATE OF NEED IS BASED ON THE DEPARTMENT'S RECORD AND EVALUATION DATED February 5, 2018 (CN App #17-29)**

#### **Project Description**

This certificate approves N.W. Eye Surgeons, PC to establish a two room ASC within the City of Renton in southeast King County secondary health services planning area. The ASC will provide surgeries to patients 12 years and older who are not expected to require hospitalization and can be served in an outpatient surgery setting. Services to be provided at the ASC is limited to eye surgeries, ophthalmic and optometric eye procedures as currently performed, needle or similar non-invasive ophthalmic and optometric eye procedures, pain management procedures (non-implants), and dermatology type procedures such as Botox injections that can be performed at the ASC as currently configured.

#### **Service Area**

Southeast King County secondary health services planning area

#### **Conditions**


Conditions Identified on Page Two

#### **Approved Capital Expenditure**

The approved capital expenditure for this project is \$218,870.

**This Certificate authorizes commencement of the project from February 14, 2018 to February 14, 2020 unless extended, withdrawn, suspended, or revoked in accordance with applicable sections of the Certificate of Need law and regulations.**

**Date Certificate Issued:** February 14, 2018

  
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Nancy Tyson, Executive Director  
Health Facilities and Certificate of Need  
Washington State Department of Health

**This Certificate is not transferable**

## **Certificate of Need #1631**

### **Page Two**

#### **Conditions**

1. N.W. Eye Surgeons, PC agrees with the project description as stated above. N.W. Eye Surgeons, PC further agrees that any change to the project as described in the project description is a new project that requires a new Certificate of Need.
2. N.W. Eye Surgeons, PC must maintain its Medicare and Medicaid certification throughout the life of the facility regardless of ownership.
3. N.W. Eye Surgeons, PC will provide charity care in compliance with the charity care policy provided in the application, or any subsequent policies. N.W. Eye Surgeons, PC will use reasonable efforts to provide charity care at 3.40% for gross revenue and 5.83% for adjusted revenue as identified in the application or the regional average, whichever is greater. N.W. Eye Surgeons, PC will maintain records of the charity care amount provided by documenting the amount of charity care it provides and demonstrating compliance with its charity care policies.