



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

December 6, 2021

Casey Stowell, RVP Pacific Northwest
Fresenius Medical Care North America
e-mail: casey.stowell@fmc-na.com

RE: Certificate of Need Application #22-15 FMC Cowlitz County Project

Dear Ms. Stowell:

Thank you for the Certificate of Need application proposing to relocate Fresenius Kidney Care (FKC) Cowlitz and add 11 dialysis stations to the facility. Specific to this application, Washington Administrative Code (WAC) 246-310-803(2) states:

"A provider's failure to submit complete data elements identified in subsection (1)(a) and (b) of this section in the format identified by the department for a facility by the deadline in subsection (1) of this section or whose data for a facility is not complete on the DFC report or QIP report (medicare web site) will result in automatic rejection of concurrent review applications for that provider until the following year's data report deadline unless an exemption is granted pursuant to subsection (3) of this section. Corrections to the DFC report, as noted in WAC 246-310-827(7) do not require the filing on an exemption."

WAC 246-310-800(4) provides the definition of concurrent review specific to kidney disease treatment centers. It states:

"Concurrent review" means the process by which applications competing to provide services in the same planning area are reviewed simultaneously by the department."

Given that the Certificate of Need Program received two applications proposing to add dialysis station capacity in Cowlitz County, the two projects would be reviewed concurrently. Based on WAC 246-310-803(2) above, Fresenius Medical Care is precluded from participating in a concurrent review for year 2021. As a result, the application submitted on December 1, 2021, for the 2021 non-special circumstance concurrent review is being returned to you with no further action.

Consistent with WAC 246-310-990(3), the department will be refunding Fresenius Medical Care \$18,791 which equates to 75% of the \$25,054 review fee submitted with the application. The refund will be sent separately to you at the address on the following page.

Casey Stowell, Fresenius Medical Care
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Fresenius Medical Care North America
20900 Southwest 115th Avenue, #190
Tualatin, Oregon 97062

If you have any questions or would like to arrange for a meeting to discuss our decision, please contact the Certificate of Need Program at (360) 236-2955.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Hernandez", with a stylized flourish at the end.

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