



STATE OF WASHINGTON  
**DEPARTMENT OF HEALTH**  
*Olympia, Washington 98504*

**TO: All Dialysis Providers**

**RE: Timing and Coordination of Special Circumstance Applications and Nonspecial Circumstance Letters of Intent**

As you may be preparing to submit a letter of intent for nonspecial circumstance applications on the first working day of May, please keep WAC 246-310-818(13) in mind, which states: *Special circumstance station applications will be treated as approved and will reduce net station need in the planning area when no nonspecial circumstance applications decisions are pending within the planning area. Special circumstance application approvals will not result in a reduction of net station need in the planning area when nonspecial circumstance application approvals decisions are pending within the planning area.*

BEFORE submitting your letter of intent for a nonspecial circumstance application, please check the list of letters of intent for special circumstance applications on our [website](#). Check to see if there is a special circumstance letter of intent for a facility in the same planning area where you intend to apply.

If there is a pending letter of intent for a special circumstance application, you may benefit from submitting more than one letter of intent for nonspecial circumstance to reflect the full station need, as well as the adjusted station need, should the special circumstance application be submitted. There is an example scenario below. This scenario assumes the applicant would apply for the full station need.

*In a 4.8 planning area: Planning Area X has two existing facilities, one of which operates at 4.5 patients per station (Facility A). The other has operated at above 5.0 patients per station for the last six months (Facility B). Facility B timely put in a special circumstance letter of intent to add 2 stations in Cycle 1. There is a 10-station need in Planning Area X. If I would like to apply to address station need in Planning Area X, I should put in two letters of intent – one for 10 stations, and one for 8 stations. This ensures I have a valid letter of intent regardless of whether Facility B submits their special circumstance application.*

The department will update methodologies affected by special circumstance applications and will post them to the website within three working days of receipt.

Please contact the program with any questions at 360-236-2955.

Thank you,

Certificate of Need Program Staff