

Department of Health Announces Certificate of Need Rulemaking Work Plan and Fee Proposals

Legal Alert
August 1, 2014

Washington Ambulatory Surgery Center Association Legal Alert, July 25, 2014

On July 25, 2014, the Washington State Department of Health (the “Department”) announced that it is developing a rulemaking work plan. In developing its plan, the Department considered several criteria, including its need to address consistency, fairness, predictability and timelines as well as certain problems implementing its current rules. Among the rules that have been identified for review and possible change are those related to ambulatory surgical facilities.

In addition to its rulemaking work, the Department intends to work on streamlining the certificate of need application process while ensuring that application formats have all information needed for its review.

In its announcement, the Department advised that staffing within the Certificate of Need Program has continued to be insufficient to support its work. Therefore, the Department is considering adjustments to the fee structure and the fee amounts for certificate of need review. These fee proposals are still being developed and are tentative. Any changes would have to be approved by the Office of Financial Management and ultimately the legislature.

WASCA intends to submit comments to the Department regarding its rulemaking work plan and fee proposals. Comments are due by August 15, 2014. WASCA is requesting that its members contact the association regarding their concerns related to the Department’s certificate of need rules, so WASCA can consider those concerns when preparing its comments.