



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

June 7, 2021

Casey Stowell, Regional Vice President – Pacific Northwest  
Fresenius Medical Care North America  
20900 SW 115<sup>th</sup> Avenue, Suite 190  
Tualatin, OR 97062

*Sent via email: [Casey.Stowell@fmc-na.com](mailto:Casey.Stowell@fmc-na.com)*

**RE: Certificate of Need Application #21-77 – Fresenius Kidney Care Yakima River**

Casey Stowell:

The department received a Certificate of Need application submitted by Renal Care Group Northwest, Inc. proposing to establish a new dialysis center within the Yakima County ESRD Planning Area. 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 three applications proposing to add dialysis station capacity in Yakima County, the projects would all be reviewed concurrently. Based on WAC 246-310-803(2) above, Fresenius is precluded from participating in a concurrent review for year 2021.

As a result, the application submitted on June 1, 2021, for the 2021 nonspecial circumstance concurrent review is being returned to you with no further action.

Casey Stowell, Fresenius Medical Care North America  
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The department will be refunding Fresenius Management Services, Inc. 75% of the review fee, \$18,790.50 as directed by [WAC 246-310-990](#). The refund will be sent separately to you at the following address.

Fresenius Management Services, Inc.  
3850 North Causeway Blvd., Suite 300  
Metairie, LA 70002

If you have any questions regarding the return of your application, please call me at (360) 236-2955.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Hernandez", with a long horizontal stroke extending to the right.

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

CC: Frank Fox, PhD, [frankgfox@comcast.net](mailto:frankgfox@comcast.net)