April 15, 2015

Lisa Butler  
Deborah Jaques  
WA State Hospice and Palliative Care Organization  
P.O. Box 6352  
Olympia, Washington 98507

RE: Certificate of Need Hospice Rules Petition

Dear Ms. Butler and Ms. Jaques:

On February 18, 2015, the Department of Health (department) received your rules petition requesting the Certificate of Need hospice need methodology be changed. Included with the petition was a proposed new hospice methodology based upon the recommendations of a hospice industry workgroup. The department is responding to your petition as required by Revised Code of Washington (RCW) 34.05.330.

The two main reasons cited in your request to change the hospice methodology were:
- The existing rule is outdated; and
- More accurate reporting of data will be available to both existing providers and proposed applicants.

The department agrees that updating need methodology rules is important to ensuring access to needed services for Washington residents. Washington Administrative Code (WAC) 246-310-290--Hospice services--standards and need forecasting method was adopted in 2003. In early 2010, the department started a hospice rule revision project by filing a preproposal notice (CR-101 published as Washington State Register No. 10-10-114). However, those efforts were suspended December 31, 2011 under Governor Executive Order 10-06 that directed state agencies to observe a rule-making moratorium.

In response to your request, the department is willing to open the hospice methodology rules under the current CR-101 notice, convene stakeholder workgroups, and ultimately determine the specific revisions in the rule language. There are two rule activities currently underway. We expect the End Stage Renal Disease (ESRD) treatment facilities rules to be completed within the next few months. Based on your request, we are willing to adjust our previously released rules work plan and begin work on the hospice methodology following completion of the ESRD rules.
If you have any questions about the rulemaking process, please contact me at (360) 236-2956 or by email at Janis.sigman@doh.wa.gov.

Sincerely,

Janis R. Sigman, Manager
Certificate of Need Program
Office of Community Health Systems

cc Bart Eggen
    Steve Saxe
    Martin Mueller