



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

Certificate of Need Program
111 Israel Road Southeast – MS 4-7852
Olympia, Washington 98504

June 13, 2019

Christopher Sturbanm, MD.
Empire Eye Physicians, PS.
1414 N. Houk Road, Suite 103
Spokane, WA 99216

RE: Determination of Reviewability #19-13 (*Sent by email*)

Dear Dr. Sturbanm:

The Department of Health has completed its review of Empire Eye Physicians, PS Determination of Reviewability Ambulatory Surgery Center/Facility (ASF) request. You represented in your determination of reviewability request that:

- Empire Eye Physicians, PS is a professional service corporation.
- Mark Kontos, MD has 50% ownership and Christopher Sturbanm, MD has 50% ownership of Empire Eye Physicians, PS.
- Empire Eye Physicians, PS clinical practice and surgical facility current physical address is: 1414 N. Houk Road, Suite 103, Spokane Valley, WA 99216.
- Upon relocation, Empire Eye Physicians, PS clinical practice and surgical facility would be located at: 16010 E. Indiana Avenue, Spokane Valley, WA 99216.
- Empire Eye Physicians, PS clinical practice and surgical facility are under single ownership and would be operated under the corporation and Unified Business Identifier [UBI] #600 602 937; and FEIN #91-308360
- Income derived from surgical services provided at Empire Eye Physicians, PS is approximately 37% of total revenue generated by the ASF.
- Patient visits income that is for clinical services provided at the ASF are approximately 63% of the total income generated at the ASF.
- Future owners or employees may have access to the ASF.
- Empire Eye Physicians, PS has two operating rooms.
- Empire Eye Physicians, PS will not be operated as a separate legal entity from Empire Eye Physicians, PS practice.
- Clinical and surgical services provided at Empire Eye Physicians, PS include those typically associated with ophthalmological surgical services.

CONCLUSION

Based on the totality of information presented in the application and resulting research, the department concludes Empire Eye Physicians, PS does not require a Certificate of Need. This decision is not transferable.

CHANGES THAT MAY EFFECT THIS DECISION

If changes are made in the operation or ownership Empire Eye Physicians, PS may no longer qualify for this decision. In that case, prior Certificate of Need review and approval or new determination of reviewability request would be required.

APPEAL OPTION

This decision may be appealed. You or any person with standing may request an adjudicative proceeding to contest this decision within 28 calendar days from the date of this letter. The notice of appeal must be filed according to the provisions of Revised Code of Washington 34.05 and Washington Administrative Code 246-310-610. A request for an adjudicative proceeding must be received within the 28 days at one of the addresses listed on the following page.

Mailing Address:

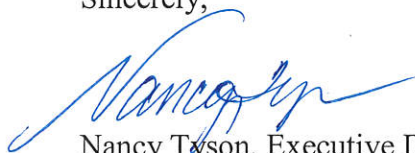
Department of Health
Adjudicative Service Unit
Mail Stop 47879
Olympia, WA 98504-7879

Physical Address

Department of Health
Adjudicative Service Unit
111 Israel Road SE
Tumwater, WA 98501

If you have any questions or would like to arrange for a meeting to discuss this decision, please call me at (360) 236-2955.

Sincerely,



Nancy Tyson, Executive Director
Health Facilities and Certificate of Need
Washington State Department of Health