



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

February 19, 2015

Sara Hess  
FASA Family Wellness, PLLC  
1610 Bishop Road Southwest, #101  
Tumwater, Washington 98512

RE: DOR #15-30

Dear Ms. Hess:

The Department of Health has completed its review of your exemption request related to FASA Family Wellness, PLLC for the establishment of an ambulatory surgery center (ASC) in Tumwater, within Thurston County. Below is the information considered and the facts relied upon by the Department of Health's Certificate of Need Program in reaching its conclusion regarding your project.

**INFORMATION CONSIDERED**

- Ambulatory Surgery Center (ASC) exemption application received January 27, 2015
- Supplemental information received February 18, 2015, and February 19, 2015
- Revised Code of Washington (RCW) 70.38
- Washington Administrative Code (WAC) 246-310
- Washington Secretary of State and Department of Revenue information obtained from the respective websites
- Department of Health external provider look-up
- Department of Health Integrated Licensing and Regulatory System (ILRS)
- Certificate of Need historical files

**FACTS CONSIDERED**

- On November 20, 2002, the practice known as Foot & Ankle Surgical Associates, Inc. PS obtained an exemption from Certificate of Need for the establishment of an ambulatory surgery center located in Tumwater. The practice and the surgery center were both operated under the corporation.
- On November 18, 2014, Foot & Ankle Surgical Associates, Inc. PS established a new corporation for the practice and the surgery center. The new corporation is FASA Family Wellness, PLLC. Once the new corporation was established, all assets of Foot & Ankle Surgical Associates, Inc. PS will be moved to the new corporation. Foot & Ankle Surgical Associates, Inc. PS will then cease as a corporation.

- The corporation of FASA Family Wellness, PLLC has been registered with the Washington State Secretary of State’s office since November 18, 2014. The corporation has two governing members—Terrence E. Hess, DPM and Charles L. McGill.
- The corporation has been registered with the Department of Revenue since January 1, 2015.
- FASA Family Wellness, PLLC is a group practice with three practice sites in Washington State. The practice sites are listed below.

Address	City	Zip	County
1220 West First Street, #B	Centralia	98531	Lewis
<b>1610 Bishop Road Southwest, #101</b>	<b>Tumwater</b>	<b>98512</b>	<b>Thurston</b>
201 Tahoma Boulevard, #20B	Yelm	98597	Thurston

- This application proposes establishment of an ambulatory surgery center at the Tumwater site shown in bold above.
- The proposed ASC would be operated under the corporation of FASA Family Wellness, PLLC.
- At this time, five physicians would use the ASC. Future partners or employees may have access to the ASC. Specific physician credentialing information and practice association is below.

Name	Credential Status	Practice Status
Thomas M. Burghardt	Active	100% employed
Terrance E. Hess	Active	99% Owner
David B. Huebner	Active	100% employed
Theresa Huan Tuoe Nguyen	Active	100% employed
Erum Abdul Quadeer	Active	100% employed

- Charles L. McGill has 1% ownership of FASA Family Wellness, PLLC, but does not intend to use the surgery center.
- Procedures to be performed at the ASC are those typically associated with podiatry. An explanation of the types of procedures was provided in the application.
- The proposed ASC would not be operated under a management agreement.

**CONCLUSION**

Based on the totality of information considered, the department concludes the proposed ASC would be exempt from Certificate of Need review. This exemption is not transferable and the conclusions reached concerning this proposed ASC are based on the facts about this facility and it should not be assumed the department would reach the same conclusion in future exemption requests for other future ASCs.

If changes are made in the operation or ownership of this proposed ASC, the ASC may no longer be eligible for this exemption. In that case, prior Certificate of Need review and approval or new exemption would be required. Examples of such changes include the following. This list is not intended to be all inclusive.

- The scope of services is expanded to include services subject to Certificate of Need review under the provisions of WAC 246-310-020.
- The provision of any procedure as identified under WAC 246-310-705(4).
- The ASC is operated under a management agreement.
- The ASC is organized as a separate legal entity from the practice.
- The ASC is moved to a different site than identified in the exemption application.
- Use of the ASC is extended to any physician who is not a member/owner or employed by FASA Family Wellness, PLLC.
- The ASC ceases operations and then chooses to resume services as an ASC.
- The ASC or the practice is purchased or leased.
- ASC patients are routinely transferred from the ASC for observation care at one of the area's hospitals.

#### **APPEAL OPTION**

This decision may be appealed using the appeal option listed below.

#### **Appeal Option:**

You 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 below.

#### **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 regarding this decision, you can call me directly at (360) 236-2957 or e-mail me at [karen.nidermayer@doh.wa.gov](mailto:karen.nidermayer@doh.wa.gov).

Sincerely,



Karen Nidermayer, Analyst  
Certificate of Need Program  
Community Health Systems

cc: Department of Health, Investigations and Inspections Office