

**NOTICE OF REQUEST FOR ATTORNEY GENERAL'S OPINION
WASHINGTON ATTORNEY GENERAL**

The Washington Attorney General issues formal published opinions in response to requests by the heads of state agencies, state legislators, and county prosecuting attorneys. When it appears that individuals outside the Attorney General's Office have information or expertise that will assist in the preparation of a particular opinion, a summary of that opinion request will be published in the state register. If you are interested in commenting on a request listed in this volume of the register, you should notify the Attorney General's Office of your interest by June 10, 1998. This is not the due date by which comments must be received. However, if you do not notify the Attorney General's Office of your interest in commenting on an opinion request by June 10, 1998, the opinion may be issued before your comments have been received. You may notify the Attorney General's Office of your intention to comment by calling (360) 753-2678, or by writing to the Solicitor General, Office of the Attorney General, P.O. Box 40100, Olympia, Washington 98504-0100. When you notify the office of your intention to comment, you will be provided with a copy of the opinion request in which you are interested; information about the Attorney General's Opinion process; information on how to submit your comments; and a due date by which your comments must be received to ensure that they are fully considered.

The Attorney General's Office seeks public input on the following opinion request(s).

**98-05-03 Request by Senator Stephen Johnson
State Senator, 47th District**

- 1) **Does RCW 74.09.240(3) prohibit a physician from referring a Medicaid patient for designated health services to a free-standing ASC jointly owned by a hospital and physician if federal law permits referral for Medicare purposes?**
- 2) **Does RCW 74.09.240(3)(a) or (3)(d) incorporate exceptions the Stark law adopted by federal regulation?**
- 3) **Does DSHS have authority to promulgate rules that adopt exceptions to the federal Stark law as set forth in federal regulations?**

