

**WAC 246-330-110 Requests for exemptions, interpretations, alternative methods.** This section outlines a process to request an exemption, interpretation, or approval to use an alternative method and the department's response. This section is not intended to prevent use of systems, materials, alternate design, or methods of construction as alternatives to those prescribed by this chapter.

(1) A licensed ambulatory surgical facility requesting exemption from this chapter must:

- (a) Send a written request to the department;
- (b) Include in the request:
  - (i) The specific section of this chapter to be exempted;
  - (ii) Explain the reasons for requesting the exemption;
  - (iii) How the exemption will not change the purpose and intent of chapter 70.230 RCW or this chapter;
  - (iv) Why the exemption does not threaten patient safety or health;
  - (v) How the exemption will not reduce or alter fire and life safety or infection control requirements; and
  - (vi) Why the exemption does not compromise structural integrity of the building.

(2) A licensed ambulatory surgical facility or person requesting an interpretation of a rule in this chapter must:

- (a) Send a written request to the department;
- (b) Include in the request:
  - (i) The specific section of this chapter to be interpreted;
  - (ii) Explain the reason or circumstances for requesting the interpretation; and
  - (iii) Where or how the rule is being applied.
- (c) Provide additional information when required by the department.

(3) A licensed ambulatory surgical facility requesting use of alternative materials, design, and methods must:

- (a) Send a written request to the department; and
- (b) Explain and support with technical documentation the reasons the department should consider the request.

(4) The licensed ambulatory surgical facility must keep and make available copies of each exemption, alternative, or interpretation received from the department.

(5) The department will, in response to a written request for an exemption or approval to use alternative materials, designs, and methods, send a written determination within thirty days after the department has received complete information relevant to the request.

[Statutory Authority: Chapter 70.230 RCW. WSR 09-09-032, § 246-330-110, filed 4/7/09, effective 5/8/09.]