

**WAC 246-330-500 Applicability of WAC 246-330-500 through 246-330-510.** The purpose of the new construction regulations is to provide minimum standards for the construction, maintenance and operation of ambulatory surgical facilities and the establishment of a safe and adequate care and treatment environment. These rules are consistent with other accrediting organizations and federal agency rules and regulations without redundancy and contradictory requirements. Compliance with these new construction regulations does not relieve an ambulatory surgical facility of the need to comply with applicable state and local building and zoning codes.

(1) These regulations apply to ambulatory surgical facilities as defined in RCW 70.230.010:

(a) New buildings to be licensed as an ambulatory surgical facility;

(b) Conversion of an existing building or portion thereof for use as an ambulatory surgical facility;

(c) Additions to an existing ambulatory surgical facility;

(d) Alterations to an existing ambulatory surgical facility.

(2) This requirement does not apply to:

(a) Any ambulatory surgical facility existing and operating prior to July 1, 2009, that is certified by the Centers for Medicare and Medicaid Services or accredited by the Joint Commission, the Accreditation Association for Ambulatory Health Care, or the American Association for Accreditation of Ambulatory Surgery Facilities that is not doing any of the things described in subsection (1)(b) through (d) of this section after July 1, 2009;

(b) Any minor alteration to an ambulatory surgical facility; or

(c) Any area of an ambulatory surgical facility unaffected by an alteration of that ambulatory surgical facility.

(3) The requirements of this chapter in effect at the time the application, fee, and construction documents are submitted to the department for review will apply for the duration of the construction project.

(4) The new construction regulations apply only to facilities submitted to the construction review program after July 1, 2009.

(5) Facilities participating in the medicare/medicaid program prior to July 1, 2009, must be able to show compliance with the federal requirements for existing facilities.

(6) Facilities participating in medicare/medicaid submitted after July 1, 2009, must comply with the federal requirements for new facilities.

[Statutory Authority: Chapter 70.230 RCW. WSR 09-09-032, § 246-330-500, filed 4/7/09, effective 5/8/09.]