

WAC 246-310-833 One-time state border kidney disease treatment center station relocation.

(1) When an existing owner-operator of a Washington state kidney disease treatment center is also the owner-operator of a kidney disease treatment center in a contiguous Idaho or Oregon county, the department will not consider a center that combines the Washington center and the out-of-state center to be a new health care center under WAC 246-310-020(1) provided all of the following criteria are satisfied:

(a) The Washington state kidney disease treatment center is located in Asotin, Benton, Clark, Columbia, Cowlitz, Garfield, Klickitat, Pend Oreille, Skamania, Wahkiakum, Walla Walla, or Whitman counties;

(b) The kidney disease treatment center is the sole provider of dialysis services in the Washington state county;

(c) The kidney disease treatment center is the sole provider of dialysis services in the contiguous Idaho or Oregon county;

(d) The replacement kidney disease treatment center will be located in the same county or planning area as the current Washington state center;

(e) Both existing kidney disease treatment centers cease operation;

(f) There is no break in service between the closure of the existing kidney disease treatment centers and the operation of the replacement center;

(g) There has been no change in ownership of either the Washington kidney disease treatment center or out-of-state kidney disease treatment center for at least five years prior to applying for the exemption under this section;

(h) Each existing kidney disease treatment center has been operated by the current provider for a minimum of five years prior to applying for the exemption under this section;

(i) Each existing kidney disease treatment center has been operating at its current location for a minimum of five years prior to applying for the exemption under this section;

(j) The department has not granted a previous exemption under the provisions of this section; and

(k) The number of stations at the replacement kidney disease treatment center does not exceed the total of:

(i) All stations from the Washington state kidney disease treatment center; and

(ii) Using the 4.8 patients per station standard, the stations necessary for the number of patients receiving dialysis at the out-of-state kidney disease treatment center as reported on the most recent Network quarterly modality report.

(2) Once a Washington state provider has requested and received its one-time exemption under the provisions of this section, the kidney disease treatment center's "resident in-center patient" will have the same meaning as all patients at the center.

[Statutory Authority: RCW 70.38.135, 2023 c 48, and RCW 70.38.280. WSR 24-18-006, § 246-310-833, filed 8/22/24, effective 9/22/24. Statutory Authority: RCW 70.38.135. WSR 17-04-062, § 246-310-833, filed 1/27/17, effective 1/1/18.]