Usilton Thomas O Form 3 January 21, 2005

FORM 3

UNITED STATES SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

OMB APPROVAL

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INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting 2. Date of Event Requiring 3. Issuer Name and Ticker or Trading Symbol Person * Statement DAVITA INC [DVA] Usilton Thomas O (Month/Day/Year) 01/06/2005 (Last) (First) (Middle) 4. Relationship of Reporting 5. If Amendment, Date Original Person(s) to Issuer Filed(Month/Day/Year) 601 HAWAII ST (Check all applicable) (Street) 6. Individual or Joint/Group Filing(Check Applicable Line) 10% Owner Director _X_ Form filed by One Reporting _X__ Officer Other Person EL SEGUNDO, Â CAÂ 90245 (give title below) (specify below) Form filed by More than One Group Vice President Reporting Person (City) (State) (Zip) **Table I - Non-Derivative Securities Beneficially Owned** 2. Amount of Securities 4. Nature of Indirect Beneficial 1. Title of Security Beneficially Owned Ownership (Instr. 4) Ownership (Instr. 4) Form: (Instr. 5) Direct (D) or Indirect (I) (Instr. 5) D Â Common Stock (1) 15,000 Reminder: Report on a separate line for each class of securities beneficially SEC 1473 (7-02) owned directly or indirectly. Persons who respond to the collection of

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 $Table\ II\ -\ Derivative\ Securities\ Beneficially\ Owned\ (\textit{e.g.},\ puts,\ calls,\ warrants,\ options,\ convertible\ securities)$

1. Title of Derivative Security (Instr. 4)	2. Date Exercisable and Expiration Date (Month/Day/Year)		3. Title and Amount of Securities Underlying Derivative Security		4. Conversion or Exercise	5. Ownership Form of	6. Nature of Indirect Beneficial Ownership
			(Instr. 4)		Price of	Derivative	(Instr. 5)
	Date Exercisable	Expiration Date	Title	Amount or Number of	Derivative	Security:	
					Security	Direct (D)	
						or Indirect	

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Stock Option (Right to Buy) $08/16/2005\underline{^{(2)}}$ 08/16/2009 Common Stock $08/16/2005\underline{^{(2)}}$ 08/16/2009 Stock 08/16/20

Reporting Owners

**Signature of Reporting Person

Reporting Owner Name / Address

Director 10% Owner Officer Other

Usilton Thomas O
601 HAWAII ST
ÂÂÂÂ Group Vice President Â
EL SEGUNDO, CAÂ 90245

Date

Signatures

/s/ Corinna B. Polk Attorney-in-Fact 01/20/2005

Explanation of Responses:

- * If the form is filed by more than one reporting person, see Instruction 5(b)(v).
- ** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).
- (1) Grant of Restricted Stock Units pursuant to the 2002 Equity Compensation Plan, which vest according to the following schedule: 5,000 on 8/16/07, 5,000 on 8/16/08, and 5,000 on 08/16/09.
- (2) Grant of Non-Qualified Stock Options which vests according to the following schedule: 12,500 on 08/16/05, 12,500 on 08/16/06, 12,500 on 08/16/07, and 12,500 on 08/16/08.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *See* Instruction 6 for procedure. Potential persons who are to respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB number.

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