

Docket Number: 1864

THE WESTERN PENNSYLVANIA HOSPITAL

Jennifer A. Stiller, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~

Robert Slavkin, Assistant Counsel

November 23, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$300.00+.

December 6, 1994

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

December 12, 1994

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 8, 1994

CLOSED

Preliminary Objections of Defendant filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 6, 1995

Defendant's Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

February 28, 1995

Plaintiff's Uncontested Motion to Extend Time for Filing Brief in Response to Defendant's Preliminary Objections and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 24, 1995

The Board rendered an Opinion and made the following order: "AND NOW, this 24th day of March, 1995, it is ORDERED and DECREED that counsel for Plaintiff, The Western Pennsylvania Hospital, is granted an extension of time, until April 14, 1995, to file its response to the Preliminary Objections as filed by the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 30, 1995

Acceptance of Service of Opinion and Order dated March 24, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 28, 1995.

March 30, 1995

Acceptance of Service of Opinion and Order dated March 24, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff March 28, 1995.

April 13, 1995

Defendant's Uncontested Motion for General Stay of Proceedings for Sixty (60) days filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 1, 1995

The Board rendered an opinion and made the following Order: "AND NOW, this 11th day of May, 1995, it is ORDERED and DECREED that all proceedings be STAYED for period not to exceed sixty (60) days from the date of this Order. It is further ORDERED and DECREED that counsel for both parties provide the Board of Claims with a status report within forty-five days of the exit date of this Order." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 17, 1995

Acceptance of Service of Order dated May 11, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 15, 1995.

May 18, 1995

Acceptance of Service of Order dated May 11, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 12, 1995.

April 1, 1997

Letter forwarded to parties requesting status. Response due from parties May 1, 1997.

May 9, 1997

Letter-type praecipe to settle, discontinue and end filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 26, 1995

The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of October, 1995, it is hereby ORDERED and DECREED that the parties' request for a general continuance in the cases above-captioned, is hereby GRANTED. The parties, however, are DIRECTED to file with the Board of Claims a status report within sixty (60) days from the date of this Order advising as to their positions relative to said settlement of these matters." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 1, 1995

Acceptance of Service of Opinion and Order dated October 26, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 30, 1995.

December 28, 1995
Letter/Status Report requesting an additional 30-day extension of the General Stay filed by attorney for Plaintiff.
January 11, 1996

The Board rendered an Opinion and issued the following Order: "AND NOW, this 11th day of January, 1996, it is hereby ORDERED and DECREED that the parties' request for an additional thirty (30) day extension of the General Stay of Proceedings in the cases above-captioned, is hereby GRANTED. The parties, however, are DIRECTED to file with the Board of Claims a status report within thirty (30) days from the exit date of this Order advising as to their positions relative to said settlement of these matters." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

January 18, 1996

Acceptance of Service of Opinion and Order dated January 11, 1996 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff January 16, 1996.

March 13, 1996

Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Amount of Claim: \$823,000.00+.

March 29, 1996

Acceptance of Service forwarded to attorney for Defendant to acknowledge receipt of the Amended Claim. Response due from Defendant April 29, 1996.

March 29, 1996

Copy of Amended Claim forwarded to Chief Deputy Attorney General.

April 4, 1996

Acceptance of Service of Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 1, 1996.

April 29, 1996

Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

May 2, 1996

Respondent's Brief in Support of Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 8, 1996

Letter-type request for an extension of time of 30 days for Plaintiff to file Plaintiff's Response and Brief in Opposition to Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

July 15, 1996

Letter forwarded to parties granting Plaintiff's request for a 30-day extension of time to file Plaintiff's Response and Brief in Opposition to Defendant's Preliminary Objections. Plaintiff's Response & Brief to Def's Preliminary Objections due August 7, 1996.

October 22, 1996

Stipulation of Settlement and Proposed Order filed by attorney for

Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 26, 1996

The Board rendered an Opinion and made the following Order: "AND NOW, this 26th day of November, 1996 it is ORDERED and DECREED that the Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, shall process the contested outlier claims in accordance with 55 Pa. Code Section 1163.56, as Amended, within Ninety (90) days of the entry of this Order. It is further ORDERED and DECREED that payments made pursuant to this Order are for services provided within the scope of the Federal Medicaid Program." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

CLOSED

May 6, 1997
Status letter filed by attorney for Plaintiff advising that the Plaintiff is still owe the amount of \$47,280.00.

May 9, 1997

Letter-type Praecipe to Withdraw filed by attorney for Plaintiff.
Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 29, 1997

The Board rendered the following Order: "**AND NOW**, this 29th day of May, 1997, upon receipt of a letter-type Praecipe to Withdraw over the signature of Catherine H. Gillespie, Esquire, on behalf of Plaintiff, The Western Pennsylvania Hospital, which states: "The Chief Financial Officer at the Western Pennsylvania Hospital ("Hospital") has informed me that a payment of \$324,439.31 was posted into the Hospital's System on May 2, 1997. (The Hospital had calculated its Claim amount to be \$347,280.00". " same of which was filed with the Board under date of May 9, 1997, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

June 4, 1997

Acceptance of Service of Order dated May 29, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant May 30, 1997.