

Docket Number: 1865-P

THE CHILDREN'S HOSPITAL OF PHILADELPHIA

Mark H. Gallant, Esquire

VS.

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~Robert Slavkin, Assistant Counsel~~
~~Sallie Rodgers, Assistant Counsel~~

November 28, 1994

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$443,159.00+.

December 7, 1994

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

January 6, 1995

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

January 18, 1995

Plaintiff's Uncontested Motion to Extend Time for Answering Defendant's Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 19, 1995

Letter received, via fax, from attorney for Plaintiff requesting that Plaintiff's Uncontested Motion to Extend Time be dismissed as being moot. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 26, 1995

Petitioner's First Amended Complaint filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 13, 1995

Copy of Petitioner's First Amended Complaint forwarded to Chief Deputy Attorney General.

February 21, 1995

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 21st day of February, 1995, it is hereby **ORDERED** and **DECREED** that the Plaintiff's Uncontested Motion to Extend Time for Answering Defendant's Preliminary Objections is hereby **DISMISSED** as being **MOOT**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

February 23, 1995

Acceptance of Service of First Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 15, 1995.

February 24, 1995

Acceptance of Service of First Amended Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 15, 1995.

March 7, 1995

Acceptance of Service of Opinion and Order dated February 21, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff February 24, 1995.

March 15, 1995

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

March 28, 1995

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

April 13, 1995

Uncontested Motion for Stay of Proceedings for 60 days filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

April 14, 1995

Acceptance of Service of Opinion and Order dated February 21, 1995 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 23, 1995.

May 11, 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 herein be **STAYED** for sixty (60) days from the exit date of this Order. The parties are **DIRECTED** to file a status report on or before July 11, 1995." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

May 18, 1995

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

May 22, 1995

Acceptance of Service of Opinion and Order dated May 11, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 18, 1995.

May 24, 1995

Acceptance of Service of Opinion and Order dated May 11, 1995 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff May 17, 1995.

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." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 28, 1995

Letter/Status requesting an additional 30-days for the general continuance filed by attorney for Plaintiff.

January 11, 1996

The Board rendered an Opinion and made 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 Defendant. Receipt of same acknowledged by attorney for Defendant January 16, 1996.

January 24, 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.

October 22, 1996

Stipulation and Settlement Agreement filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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.

April 3, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE MAY 5, 1997,

June 12, 1997

Status Report received from Plaintiff advising that some outlier claim issues are still being processed by Defendant. Proposed Order attached directing the parties file another status report before July 20, 1997. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 20, 1997

Status Report received from attorney for Defendant disagreeing with some of the issues in Plaintiff's Status Report; however agrees that the case should remain open.

July 15, 1997

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 15th day of July, 1997 it is **ORDERED** and **DECREED** that all further proceedings before this Board be stayed for three (3) months in order to enable the parties to implement the settlement agreement.

July 22, 1997

Acceptance of Service of Opinion and Order dated July 15, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 27, 1997.

August 6, 1997

Acceptance of Service of Opinion and Order dated July 15, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 29, 1997.

October 21, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE **November 20, 1997**.

October 22, 1997

Letter/Praecipe received from Plaintiff advising that the parties have resolved all outstanding issues in this matter and suggest that the Board close its docket in this case.

November 5, 1997

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 5th day of November, 1997, upon receipt of a Letter/Praecipe, requesting that the Board 'close its docket in the captioned case which has now been resolved. . .', executed by Mark H. Gallant, Esquire, on behalf of Plaintiff, The Children's Hospital of Philadelphia, and docketed with this Board under date of October 22, 1997, it is **ORDERED** and **DIRECTED** that said case be marked 'settled, discontinued and ended with prejudice'." Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 10, 1997

Acceptance of Service of Opinion and Order dated November 5, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 7, 1997.

November 12, 1997

Acceptance of Service of Opinion and Order dated November 5, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 6, 1997.

CLOSED