

Docket Number: 1956-P

BLOOMSBURG HEALTH CARE CENTER

~~Jeffrey W. Beehtel, Esquire~~
~~Louis J. Capozzi, Jr., Esquire~~
~~Kimber Latsha, Esquire~~
Stephen A. Miller, Esquire
(Capozzi & Associates)

CLOSED

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Cynthia White Williams, Assistant Counsel

July 20, 1995

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$184,456.00+.

July 26, 1995

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

August 1, 1995

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 31, 1995.

August 4, 1995

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 7, 1995.

August 24, 1995

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 19, 1995

Answer to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 2, 1997

Letter forwarded to parties requesting status report. STATUS REPORT DUE ON OR BEFORE MAY 2, 1997.

April 30, 1997

Status/Letter received from attorney for Plaintiff advising that the parties have reached an agreement relative to legal issues however no settlement figures have been agreed upon.

May 8, 1997

Letter/Status Report received from Defendant advising that the parties are close to reaching a final settlement. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

August 19, 1997

Letter forwarded to parties requesting a status report. **STATUS REPORT DUE ON OR BEFORE SEPTEMBER 18, 1997.**

August 25, 1997

Entry of Appearance of Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 3, 1997

Withdraw of Appearance of Latsha, Davis & Yohe, filed by previous attorney for Plaintiff. Copy forwarded to current attorney for Plaintiff and attorney for Defendant.

September 11, 1997

Letter/Status Report filed by attorney for Defendant advising that the parties were close to settlement; that Defendant was awaiting the facility's recalculation of the depreciation expense. It is anticipated that a Stipulation of Settlement can be executed once the parties reach an agreement on the issue pertaining to the calculation of the depreciation expense. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 26, 1997

Letter/Status report received from attorney for Plaintiff advising that the parties have reached an agreement relative to the issues but are still trying to reach an agreement on the settlement amount. If they can not settle, Plaintiff will seek a hearing.

January 26, 1998

Letter forwarded to parties requesting a status report. **STATUS REPORT DUE ON OR BEFORE FEBRUARY 26, 1998.**

February 20, 1998

Letter/Status Report received from Defendant advising that on December 22, 1998 Plaintiff sent Defendant a settlement proposal which would resolve this appeal along with other pending appeals.

Defendant advised they are currently reviewing the settlement proposal and should be able to inform the Board within 30 days as to whether these appeals will be resolved. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 30, 1998

Letter forwarded to parties requesting a Status Report. *Status Report due on or before July 30, 1998.*

July 24, 1998

Letter received from Plaintiff advising that the parties have settled the issues involved except the final calculation of the amount of additional MA reimbursement due. When the calculations are confirmed by the auditors, Claimant will notify the Board.

December 8, 1998

Letter forwarded to parties requesting a Status Report. *Status Report due on or before January 7, 1999.*

January 7, 1999

Letter/Status Report received from attorney for Plaintiff advising that the parties have been involved in negotiations concerning the final calculation of the amount of MA reimbursement due to Plaintiff.

Plaintiff is currently analyzing Defendants latest calculations and expects to come to an agreement with Defendant on the amount in the near future. If an agreement can not be reached, Claimant will request a hearing with the Board. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 20, 1999

Letter/Status Report received from attorney for Defendant advising that the Defendant sent the facility calculations relating to a proposed settlement and Plaintiff is currently analyzing same and they expect to reach a resolution in the near future. If the parties are unable to reach a settlement, either party will notify the Board.

August 11, 1999

Letter forwarded to parties requesting a status report. *Status Report due on or before September 10, 1999.*

August 16, 1999

Letter/Status Report received from attorney for Plaintiff advising that they received work papers from Defendant toward settlement of these matters. They have reviewed same with their client and accounting consultants and forwarded a stipulation of settlement to Defendant for review.

January 14, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **February 14, 2000**.

March 20, 2000

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 20th day of March, 2000, a Rule to Show Cause is issued upon Plaintiff, Bloomsburg Health Care Center, wherein it is **DIRECTED** that Plaintiff advise the Board, within thirty (30) days from the exit date of this Order, as to whether or not they wish to pursue this matter. In the event the Board does not receive a response to this Rule, said Rule to Show Cause shall become absolute and the case shall be marked 'closed, discontinued and ended with prejudice'." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

March 22, 2000

Letter/Status report received from attorney for Plaintiff advising that they wish to continue pursuit of this matter and are currently in negotiations for settlement of this and other Claims filed with the Board.

March 27, 2000

Acceptance of Service of Opinion and Order dated March 20, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant March 24, 2000.

October 2, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **November 1, 2000**.

October 19, 2000

Praecipe of Discontinuance filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 24, 2000

The Board made the following Order: "**AND NOW**, this 24th day of October, 2000, upon receipt of a Praecipe of Discontinuance, advising that "this matter may be discontinued, closed and ended", executed by Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, Bloomsburg Health Care Center, and docketed with this Board under date of October 19, 2000, it is **ORDERED** and **DIRECTED** that said case be marked "discontinued, closed and ended with prejudice." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

November 3, 2000

Acceptance of Service of Order dated October 24, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 2, 2000.

CLOSED