

Docket Number: 2212-P

\* PRESBYTERIAN SENIOR CARE d/b/a \*\*~~PRESBYTERIAN MEDICAL CENTER OF OAKMONT, PRESBYTERIAN MEDICAL CENTER OF WASHINGTON AND REDSTONE HIGHLANDS HEALTH CARE CENTER MOUNT MACRINA MANOR NURSING HOME AND SHENANGO PRESBYTERIAN HOME~~

~~John DeLorenzo, Esquire  
Louis J. Capezzi, Jr., Esquire  
Samuel B. Lineman, Esquire  
Randy J. Foley, Esquire~~

# CLOSED

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Esquire~~

Jason W. Manne, Assistant Counsel

**July 9, 1996**

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

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**July 11, 1996**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT AUGUST 11, 1996**

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**July 19, 1996**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 16, 1996.

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**CLOSED**

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Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Response due from Plaintiff to Defendant's New Matter 10/16/96.**

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**September 25, 1996**

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

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**October 2, 1996**

Letter forwarded to Plaintiff and Defendant directing parties to commence with discovery.

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**April 1, 1997**

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

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**April 17, 1997**

Status letter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**May 6, 1997**

Status letter advising of possible settlement filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

**September 8, 1997**

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

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**September 18, 1997**

Withdrawal of Appearance of Kimber L. Matsha on behalf of Lashia, Davis & Pohe, P.C. an attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**\*October 28, 1997**

Petition to Sever Mount Macrina Manor Nursing Home and Presbyterian Medical Center of Washington filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**November 7, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this 7th day of November, 1997, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Sever Presbyterian Medical Center of Mount Macrina Nursing Home and Presbyterian Medical Center of Washington from the original Claim is hereby **GRANTED** and subsequently, Presbyterian Medical Center of Mount Macrina Nursing Home and Presbyterian Medical Center of Washington are hereby withdrawn from the original Claim. It is further **ORDERED** and **DECREED** that the Motion to Withdraw the Claims of Presbyterian Medical Center of Mount Macrina Nursing Home and Presbyterian Medical Center of Washington is hereby **GRANTED** and same are dismissed with prejudice. The caption for the case docketed to 2212-P shall now read as follows: Presbyterian Senior Care d/b/a Presbyterian Medical Center of Oakmont and Shenango Presbyterian Home vs. Commonwealth of Pennsylvania, Department of Public Welfare." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**\*\*December 2, 1997**

Petition to Sever, Motion to Withdraw and Proposed Order filed by attorney for Plaintiff removing Presbyterian Medical Center of Oakmont from the original Claim. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**December 11, 1997**

The Board rendered an Opinion and made the following Order: **"AND NOW**, this day of December, 1997, it is **ORDERED** and **DECREED** that the Plaintiff's Motion to Sever Presbyterian Medical Center of Oakmont from the original Claim is hereby **GRANTED** and subsequently, Presbyterian Medical Center of Oakmont are hereby withdrawn from the original Claim. It is further **ORDERED** and **DECREED** that the Motion to Withdraw the Claim of Presbyterian Medical Center of Oakmont is hereby **GRANTED** and same is dismissed with prejudice. The caption for the cases docketed to 2212 and 2366 shall now read as follows: PRESBYTERIAN SENIOR CARE, d/b/a SHENANDO PRESBYTERIAN HOME vs. COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF PUBLIC WELFARE." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**December 19, 1997**

Acceptance of Service of Opinion and Order dated December 11, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff December 17, 1997.

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**January 20, 1998**

Letter forwarded to parties requesting status. Response due from parties February 20, 1998.

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**March 10, 1998**

2nd letter forwarded to parties requesting status. Response due from parties April 10, 1998.

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**April 13, 1998**

Status letter received from attorney for Plaintiff advising that the parties are at present conducting discovery with a possibility of settlement.

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**October 2, 1998**

Letter forwarded to parties requesting status. Response due from parties November 2, 1998.

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**November 2, 1998**

Status letter received from attorney for Plaintiff advising that the parties are engaged in settlement negotiations and if same does not materialize, Plaintiff will request that a hearing be set.

**December 14, 1998**

Letter forwarded to parties requesting status. Response due from parties January 14, 1999.

**February 22, 2000**

Letter received from attorney for Plaintiff requesting a pre-hearing conference in which to consolidate docket nos. 2112 and 2366 and further requesting that a hearing be set.

**CLOSED**

**February 24, 2000**

Letter received from attorney for Defendant advising that Defendant disagrees with Plaintiff's letter advising that Defendant has never responded to Plaintiff's settlement offer and further advising that Defendant feels settlement is in the very near future.

**February 25, 2000**

Letter received from attorney for Plaintiff advising that he does not object to Plaintiff's request for an extension of time.

**March 2, 2000**

Letter forwarded to Defendant granting Defendant's request until April 24, 2000 in which to file their proposed settlement agreement.

**June 12, 2000**

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

**June 14, 2000**

The Board rendered the following Order: **"AND NOW**, this 14th day

of June, 2000, upon receipt of a Praecipe stating: "Claimant hereby advises that this matter may be discontinued, closed and ended, with prejudice." executed by Randy J. Riley, Esquire, on behalf of Plaintiff, Shenango Presbyterian Home, and docketed with this Board under date of June 12, 2000, it is hereby **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 19, 2000**

Acceptance of Service of Order dated June 15, 2000 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff June 19, 2000.

**June 19, 2000**

Acceptance of Service of Order dated June 15, 2000 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 19, 2000.

# CLOSED