

Docket Number: 2371

UNITED HEALTH SERVICES, INC. d/b/a ABINGTON CREST NURSING AND
REHABILITATION CENTER, BEAVER VALLEY NURSING AND
REHABILITATION CENTER, BELAIR HEALTH AND REHABILITATION
CENTER, BROAD MOUNTAIN NURSING AND REHABILITATION CENTER,
DRESHER HILL HEALTH AND REHABILITATION CENTER, EDGEWOOD
NURSING CENTER, ELDERCREST NURSING CENTER, HAVENCREST NURSING
CENTER, LANGHORNE GARDENS REHABILITATION CENTER, MEADOWCREST
NURSING CENTER, MOUNTAIN LAUREL NURSING AND REHABILITATION
CENTER, OAK HILL NURSING CENTER, SPRUCE MANOR NURSING AND
REHABILITATION CENTER, STATESMAN HEALTH AND REHABILITATION
CENTER, STONEBRIDGE HEALTH AND REHABILITATION CENTER,
STONEBRIDGE HEALTH AND REHABILITATION CENTER, TOWNSHIP MANOR
HEALTH AND REHABILITATION CENTER, TREMONT HEALTH AND
REHABILITATION CENTER, VALLEY MANOR NURSING AND REHABILITATION
CENTER AND BROAD ACRES NURSING HOME ASSOCIATION, CLARVIEW
NURSING AND REHABILITATION CENTER, ELK HAVEN NURSING
ASSOCIATION, GROVE MANOR, THE CARING PLACE

~~Jeffrey W. Bechtel, Esquire~~
~~John Kennedy, Esquire~~

Kimber Latsha, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Barry N. Kramer, Senior Assistant Counsel

January 24, 1997

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

January 27, 1997

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT FEBRUARY 27, 1997.**

February 3, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General January 30, 1997.

February 7, 1997

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 29, 1997.

February 19, 1997

Letter received from attorney for Defendant requesting an extension of time of 30 days in which to file its responsive pleading.

February 24, 1997

Letter forwarded to attorney for Defendant granting an extension of time until March 31, 1997 in which to file Defendant's responsive pleading. **RESPONSE DUE FROM DEFENDANT MARCH 31, 1997**

March 17, 1997

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

April 1, 1997

Claimant's Reply to Respondent's New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 7, 1997

Letter forwarded to parties directing them to proceed with discovery.

April 17, 1997

Letter received from attorney for Plaintiff advising that most of these claims will probably be withdrawn due to settlement. PER JUDGE, CASE IS TO BE DIARIED FOR 5 MONTHS (9/22/97)

October 15, 1997

*Petition for Leave to Amend Claim, as well as Amended Claim, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Amount of Claim: in excess of \$300.00

October 22, 1997

The Board rendered an Opinion and made the following Order: **AND NOW**, this 22nd day of October, 1997, it is hereby **ORDERED** and **DECREED** that the Petition for Leave to Amend Claim is hereby **GRANTED**. The Defendant is hereby **DIRECTED** to file its responsive pleading to the Amended Claim within thirty (30) days from the exit date of this Order.@ Copies forwarded to attorney for Plaintiff and attorney for Defendant.

October 22, 1997

Copy of Amended Claim forwarded to Office of Attorney General.

October 27, 1997

Acceptance of Service of Opinion and Order dated October 22, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 24, 1997.

October 27, 1997

Acceptance of Service of Opinion and Order dated October 22, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 23, 1997.

November 14, 1997

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

December 17, 1997

Claimant's Reply to Respondent's New Matter to Amended Complaint
filed by attorney for Plaintiff. Copy forwarded to attorney for
Defendant by attorney for Plaintiff.

July 21,1998

Status letter forwarded to parties. Response due 8/21/98.

August 25, 1998

Status letter received from atty. for Pltf. advising that a settlement proposal was forwarded to Defendant and they are presently awaiting a response. If the parties are unable to resolve the matter a hearing will be requested. (Diary for six(6) months as per Judge.

March 25, 1999

Petition For Leave to Amend First Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 25, 1999

Second Amended Claim filed by attorney for Plaintiff.

April 6, 1999

Amended Claim forwarded to attorney and Chief Deputy Attorney General. Response due from attorney 5/6/99.

April 12, 1999

Status letter received from attorney for Plaintiff advising that they filed a Petition for Leave to Amend Claim. They are awaiting the Board's decision on this Petition.

April 12, 1999

Acceptance of Service of Amended Claim dated April 6, 1999 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 8, 1999.

April 14, 1999

Acceptance of Service of Amended Claim dated April 6, 1999 received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General April 8, 1999.

April 15, 1999

Answer and New Matter to Second Amended Claim filed by attorney for Defendant. **RESPONSE DUE 5/24/99.**

April 12, 1999

from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 8, 1999.

April 14, 1999

Acceptance of Service of Amended Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy attorney General April 8, 1999.

May 7, 1999

Claimant's Reply to Respondent's New Matter to Amended Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 21, 1999

Letter forwarded to parties directing them to commence with discovery.

August 29, 2000

Letter forwarded to parties requesting a status. Due 9/29/00.

September 26, 2000

Letter received from attorney for Plaintiff advising that the parties have been involved in extensive settlement negotiations with other claims. Once these claims are resolved settlement options will be explored for the above-captioned matter.

May 22, 2001

Letter forwarded to parties requesting a status. Due 6/22/01.

June 7, 2001

Letter/Status report received from attorney for Plaintiff advising that the parties have been involved in extensive settlement negotiations regarding Extendicare's owned facilities FYE's 6/30/92 through 6/30/94. Once resolved the parties will explore settlement options for the above matter.

January 3, 2002

Letter forwarded to parties requesting a status. Response due

2-4-02.

January 11, 2002

Letter received from attorney for Plaintiff advising that the parties recently resumed settlement negotiations involving other Claims presently before the Board for fiscal periods 6/30/92 through 6/30/94. Once the parties resolve these Claims they will explore settlement options for the above matter.

August 14, 2002

Letter forwarded to parties requesting a status. **RESPONSE DUE 9/16/02.**

August 28, 2002

Letter received from attorney for Plaintiff advising that the parties are not involved in settlement negotiations involving the above Claim. Once the parties resolve the Claims currently being negotiated they will explore settlement options for the above matter.

November 29, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 29th day of November, 2005, it is **ORDERED** and **DECREED** that pursuant to 42 Pa. C.S.A. §5103(a) and Pa. R.C.P. 213(f), this matter and the record thereof is **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant."

November 30, 2005

Board transferred file to Department of Public Welfare, Bureau of Hearings and Appeals.

December 5, 2005

Defendant filed Acceptance of Service of Opinion and Order dated November 29, 2005. Receipt of same acknowledged December 5, 2005.

December 12, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated November 29, 2005. Receipt of same acknowledged December 8, 2005.
