

Docket Number: 2395

~~INTEGRATED HEALTH SERVICES, INC.; REST HAVEN NURSING CENTERS, INC., d/b/a INTEGRATED HEALTH SERVICES OF PENNSYLVANIA AT BROOMALL; REST HAVEN NURSING CENTER INC., d/b/a, INTEGRATED HEALTH SERVICES OF CHESTNUT HILL; ALPINE MANOR, INC., d/b/a INTEGRATED HEALTH SERVICES OF ERIE AT BAYSIDE; INTEGRATED HEALTH GROUP (INTEGRATED HEALTH OF LOCUST VALLEY ROAD, INC. — GENERAL PARTNER), d/b/a, INTEGRATED HEALTH SERVICES OF GREATER PITTSBURGH; CAMBRIDGE GROUP OF PENNSYLVANIA, INC., d/b/a, INTEGRATED HEALTH SERVICES OF HERSHEY AT THE WOODLANDS; INTEGRATED HEALTH SERVICES OF INDIAN CREEK, INC., d/b/a INDIAN CREEK NURSING CENTER; INTEGRATED HEALTH SERVICES AT PENN, INC., d/b/a INTEGRATED HEALTH SERVICES AT JULIA RIBAUDO; MOUNTAIN VIEW NURSING CENTER, INC., d/b/a INTEGRATED HEALTH SERVICES AT MOUNTAIN VIEW; INTEGRATED HEALTH SERVICES AT PENN, INC. d/b/a, INTEGRATED HEALTH SERVICES OF PENNSYLVANIA AT PLYMOUTH HOUSE; INTEGRATED HEALTH SERVICES AT SYCAMORE CREEK, INC., d/b/a, SYCAMORE CREEK NURSING CENTER; REST HAVEN NURSING CENTER (WHITEMARSH), INC. d/b/a, INTEGRATED HEALTH SERVICE AT WHITEMARSH~~

~~John Kennedy, Esquire
Samuel B. Fineman, Esquire
Michael Hynum, Esquire
Louis J. Capozzi, Jr., Esquire~~

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel
Kathleen Grogan, Assistant Counsel~~

January 24, 1997

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

January 31, 1997

Copies of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT: March 3, 1997.**

February 6, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General February 4, 1997.

February 10, 1997

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant February 3, 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 25, 1997

Letter forwarded to attorney for Defendant granting an extension of time until April 2, 1997 in which to file Defendant's responsive pleading. **RESPONSE DUE FROM DEFENDANT APRIL 2, 1997**

March 19, 1997

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **REPLY DUE FROM PLTF.: April 28, 1997**

April 7, 1997

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

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)

July 28, 1997

Entry of Appearance of Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, filed by attorney for Plaintiff. Per Marlene of Louis Capozzi's office on July 25, 1997, a copy of same will be forwarded to attorney for Defendant.

September 2, 1997

Praeipce to Settle, Discontinue and End filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 16, 1997

The Board rendered an Opinion and made the following Order: **AAND NOW**, this 16th day of September, 1997, upon receipt of Praecipces to Settle, Discontinue and End, requesting that the above-captioned matters be marked >settled, discontinued and ended=, executed by Louis J. Capozzi, Jr., Esquire, on behalf of Plaintiff, Integrated Health Services, Inc., et al., and docketed under date of September 2, 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.

September 19, 1997

Motion to ReOpen Case filed by attorney for Plaintiff, due to the Praeipce to Close being inadvertantly filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 25, 1997

Acceptance of Service of Order dated September 16, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 17, 1997.

October 10, 1997

The Board rendered an Opinion and made the following Order: **AND NOW**, this 10th day of October, 1997, it is hereby **ORDERED** and **DECREED** that the Motion to Reopen both cases is hereby **GRANTED**.@
Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 22, 1997

Petition to Sever (Integrated Health Services of Pennsylvania at Broomall) filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 22, 1997

Motion to Withdraw (All facilities except Broomall) with prejudice, filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

November 5, 1997

The Board rendered an Opinion and made the following Order: **AND NOW**, this 5th day of November, 1997, it is **ORDERED** and **DECREED** that the Plaintiff's Petition to Sever Integrated Health Services of Pennsylvania at Broomall from the original Claim is hereby **GRANTED** and subsequently, Integrated Health Services of Chestnut Hill, Integrated Health Services of Erie at Bayside, Integrated Health Services of Greater Pittsburgh, Integrated Health Services of Hershey at Woodlands, Integrated Health Services of Indian Creek, Integrated Health Services at Julia Ribaud, Integrated Health Services at Mountain View, Integrated Health Services at Plymouth, Integrated Health Services at Sycamore Creek and Integrated Health Services at Whitemarsh are hereby withdrawn from the original Claim. It is further **ORDERED** and **DECREED** that the Motion to Withdraw the Claims of Integrated Health Services of Chestnut Hill, Integrated Health Services of Erie at Bayside, Integrated Health Services of Greater Pittsburgh, Integrated Health Services of Hershey at Woodlands, Integrated Health Services of Indian Creek, Integrated Health Services at Julia Ribaud, Integrated Health Services at Mountain View, Integrated Health Services at Plymouth, Integrated Health Services at Sycamore Creek and Integrated Health Services at Whitemarsh is hereby **GRANTED** and same are dismissed with prejudice. The captions for the cases docketed to numbers 2177-P and 2395 shall now read as follows: INTEGRATED

HEALTH SERVICES OF PENNSYLVANIA AT BROOMALL VS. COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF PUBLIC WELFARE@ Copies forwarded to attorney for Plaintiff and attorney for Defendant.

October 20, 1997

Acceptance of Service of Opinion and Order dated October 10, 1997 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 15, 1997.

October 22, 1997

Acceptance of Service of Opinion and Order dated October 10, 1997 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff October 22, 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.

November 19, 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 19, 1997.

April 14, 1998

Letter forwarded to parties requesting a status report. Status Report Due on or before May 14, 1998.

May 18, 1998

Letter/Status Report received from Plaintiff advising that the parties are progressing through discovery and if after all discovery is complete and it appears the parties are unable to settle, Claimant will request a hearing.

November 17, 1998

Letter forwarded to parties requesting a Status Report. Status Report due on or before **December 17, 1998**.

November 23, 1998

Letter/Status Report received from attorney for Plaintiff advising that the parties are currently engaged in discovery and if after all discovery is completed, and if the parties are unable to reach a settlement, Plaintiff will request a hearing

within the next few months.

July 2, 1999

Letter forwarded to parties requesting a Status Report. **STATUS REPORT DUE ON OR BEFORE AUGUST 2, 1999.**

July 14, 1999

Letter/Status Report received from attorney for Plaintiff advising that they are engaged in discovery and will also attempt to settle this matter with Defendant. At the conclusion of discovery, if no settlement is reached, they will summarily request a hearing date.

January 12, 2000

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

January 14, 2000

Letter/Status Report received from Plaintiff advising that they are in the discovery process and also will seek ongoing settlement negotiations with Defendant.

August 21, 2000

Letter forwarded to parties requesting a status report. Status Report due on or before **September 20, 2000.**

August 25, 2000

Letter received from attorney for Plaintiff advising that they are engaged in the discovery process and will also seek settlement negotiations with Defendant.

April 11, 2001

Letter received from Plaintiff advising that pursuant to a stipulation of settlement, Plaintiff has settled all claims involving medicaid reimbursement for periods July 1, 1997 through June 30, 2001, however is keeping this claim open to the extent its 1996 MA Audited cost report affects rates other than those during years 3 - 6.

October 19, 2001

Letter forwarded to parties requesting a Status Report. Same due on or before **November 19, 2001.**

November 21, 2001

Letter received from attorney for Plaintiff advising that pursuant to a Stipulation of Settlement, Plaintiff has settled all claims involving Medicaid reimbursement for periods July 1, 1997 through June 30, 2001 and that they are keeping this claim open to the extent its 1996 MA Audited cost report affects rates subsequent to June 30, 2001.

May 22, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 21, 2002**.

June 19, 2002

Letter received from Plaintiff, via fax, advising that a settlement offer has recently been forwarded to Defendant as well as for Docket No. 2177. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

June 21, 2002

Letter received from Plaintiff, U.S. Mail, advising that a settlement offer has recently been forwarded to Defendant as well as for Docket No. 2177. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 21, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 21st day of September, 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."

September 28, 2005

Defendant filed Acceptance of Service of Opinion and Order dated September 21, 2005. Receipt of same acknowledged September 23, 2005.

October 3, 2005

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

October 17, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated September 21, 2005. Receipt of same acknowledged October 11, 2005.
