

Docket Number: 2493

PENN MED CONSULTANTS, INC., BUTLER VALLEY MANOR

~~Louis J. Capozzi, Jr., Esquire~~  
Katherine E. Stine, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

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

**September 8, 1997**

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

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**September 11, 1997**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT October 14, 1997.**

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**September 16, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 12, 1997.

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**September 17, 1997**

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 15, 1997.

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**October 14, 1997**

Answer and New Matter filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff November 17, 1997.

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**November 17, 1997**

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

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**July 14, 1998**

Letter forwarded to parties requesting status. Response due from parties August 14, 1998.

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**August 11, 1998**

Status letter received from attorney for Plaintiff advising that the parties are in discovery.

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**November 23, 1999**

Letter-type Stipulation of Withdrawal with Prejudice in Part of only that portion of pending disputes concerning 1993-1996 Home Office Costs filed by attorney for Plaintiff.

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**January 14, 2000**

Letter forwarded to parties requesting status. Response due from parties February 14, 2000.

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**February 11, 2000**

Status letter received from attorney for Plaintiff advising that the parties are negotiating settlement.

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**August 28, 2000**

Letter forwarded to parties requesting status. Response due from parties September 28, 2000.

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**October 2, 2000**

Letter received from attorney for Plaintiff advising that the parties are currently negotiating a settlement of this matter.

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**April 2, 2001**

Letter forwarded to parties requesting status. Response due May 2, 2001.

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**May 8, 2001**

Status letter received from attorney for Plaintiff advising that the parties are conducting settlement negotiations.

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**June 4, 2001**

Letter received from attorney for Plaintiff advising that the parties continue to explore a global settlement and are hopeful that these matters can be resolved without a hearing.

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**November 29, 2001**

Status letter received from attorney for Plaintiff advising that thie parties are involved in negotiations to resolve this appeal and if and when the matter is settled, Plaintiff will notify the Board.

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**April 19, 2002**

Status letter received from attorney for Defendant advising that they do not feel this case is in a position to set for hearing as well as notifying that the Defendant will be requesting a general continuance pending a similar decision in Commonwealth Court.

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**April 23, 2002**

Notice of Service of Plaintiff's First Set of Interrogatories as well as Request for Production of Documents filed by Plaintiff.

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**May 28, 2002**

Respondent's Motion for General Continuance and Stay as well as Brief in Support filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff July 1, 2002.

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**June 14, 2002**

The Answer of Claimant, Penn Med Consultants, Easton Nursing Center, to the Respondent's Motion for General Continuance and Stay as well as Brief in Support filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**September 26, 2002**

The Board rendered an Opinion and made the following Order: **AND NOW**, this 26th day of September, 2002, it is **ORDERED** and **DECREED** that the Defendant's, Commonwealth of Pennsylvania, Department of Public Welfare, Motion for General Continuance and Stay is **DENIED**.

It is further **ORDERED** and **DECREED** that the Defendant shall respond to Plaintiff's, Penn Med Consultants, Inc., Butler Valley Manor, outstanding requests for production of documents and interrogatories within thirty (30) days from the exit date of this Order. It is so **ORDERED**.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

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**October 3, 2002**

Acceptance of Service of Opinion and Order dated September 26, 2002 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 30, 2002.

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**October 4, 2002**

Acceptance of Service of Opinion and Order dated September 26, 2002 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 30, 2002.

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**January 22, 2003**

Motion of the Claimant for Discovery Sanctions Against the Respondent as well as Brief in Support filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from Defendant February 24, 2003.

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**February 24, 2003**

Defendant's Answer and New Matter in Opposition to Claimant's Motion for Discovery Sanctions Against Defendant and Brief in Support filed. Copy forwarded to attorney for Plaintiff by attorney for Defendant. Response due from Plaintiff March 17, 2003.

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**April 2, 2003**

The Answer of the Claimant, Penn Med Consultants, Inc., Butler Valley Manor, to the New Matter in Opposition to its Motion for Discovery Sanctions Against the Respondent filed. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 17, 2003**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 17<sup>th</sup> day of June, 2003, after consideration of the Motion and Answer thereto and the Briefs filed by the respective parties, it is hereby **ORDERED** and **DECREED** that the Motion of the Claimant, for Discovery Sanctions against the Respondent, Commonwealth of Pennsylvania, Department of Public Welfare, is hereby **GRANTED** and Respondent is **ORDERED** to provide full and complete Answers to any outstanding Interrogatories and Requests for Production of Documents within twenty (20) days of the exit date of this Order." Copy forwarded to Plaintiff and Defendant.

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**June 23, 2003**

Defendant filed Acceptance of Service of Opinion and Order dated June 17, 2003. Receipt of same acknowledged by Defendant June 18, 2003.

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**June 26, 2003**

Defendant filed Notice of Service of Department's Response to Claimant's Request for Production of Documents filed.

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**July 11, 2003**

Plaintiff filed Acceptance of Service of Opinion and Order dated June 17, 2003. Receipt of same acknowledged July 8, 2003.

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**November 17, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 17<sup>th</sup> 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."

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**November 21, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated November 17, 2005. Receipt of same acknowledged November 21, 2005.

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