

Docket Number: 2506

PENN MED CONSULTANTS, INC., LAKESIDE NURSING CENTER

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 15, 1997

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

September 18, 1997

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT 10/20/97.**

September 23, 1997

Acceptance of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General September 18, 1997.

September 25, 1997

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

October 22, 1997

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

November 17, 1997

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

May 26, 1998

Letter forwarded to parties requesting status. Response due from parties June 26, 1998.

June 9, 1998

Letter received from attorney for Plaintiff advising that the parties are still in discovery.

November 23, 1998

Letter forwarded to parties requesting status. Response due from parties December 23, 1998.

December 10, 1998

Status letter received from attorney for Plaintiff advising that they are waiting for settlement in a similar case before

proceeding.

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.

August 24, 2000

Letter forwarded to parties requesting status. Response due from parties September 25, 2000.

August 28, 2000

Status letter received from attorney for Plaintiff advising that the parties are conducting a global settlement of related matters.

August 30, 2000

Letter forwarded to parties granting Plaintiff's request for a stay until November 28, 2000 to discuss settlement negotiations.

November 22, 2000

Status letter received from attorney for Plaintiff advising that the parties are currently negotiating a settlement in this matter.

May 29, 2001

Letter forwarded to parties requesting status. Response due from parties June 29, 2001.

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.

January 18, 2002

Letter forwarded to parties requesting status. Response due from parties February 19, 2002.

January 23, 2002

Letter received from attorney for Plaintiff advising that the parties are unable to come to terms of settlement and request

that the Board set same for hearing.

April 1, 2002

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

May 20, 2002

Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from Defendant June 21, 2002.

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.

June 25, 2002

The Answer of Claimant, Penn Med Consultants, Inc., Lakeside 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.

September 27, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 27th 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., Lakeside Nursing Center, 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.

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.

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.

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.

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.

April 2, 2003

The Answer of the Claimant, Penn Med Consultants, Inc., Lakeside Nursing Center, 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.

April 7, 2003

Notice of Service of Defendant's Response to Claimant's First Set of Interrogatories filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

June 17, 2003

Board rendered Opinion and Order. Order as follows: **"AND NOW,** this 17th 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.

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.

June 26, 2003

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

July 11, 2003

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

October 4, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 4th day of October, 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.

October 11, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 4, 2005. Receipt of same acknowledged October 6, 2005.

October 12, 2005

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

November 21, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated

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October 4, 2005. Receipt of same acknowledged October 27, 2005.
