

Docket Number: 2541
*(CONSOLIDATED WITH NOS. 1977, 2259, 2419, 2552 & 2648)

INTEGRATED HEALTH SERVICES, INC.,
IHS OF PA AT BROOMALL

Louis J. Capozzi, Jr., Esquire
Michael Hynum, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

~~John A. Kane, Chief Counsel~~
Jason W. Manne, Assistant Counsel

December 18, 1997

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

December 19, 1997

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT JANUARY 19, 1998.**

December 29, 1997

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General December 23, 1997.

December 31, 1997

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 23, 1997.

January 20, 1998

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

February 27, 1998

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

August 4, 1998

Notice of Service of Request for Production of Documents and Interrogatories filed by attorney for Defendant.

September 3, 1998

Motion to Consolidate as well as Brief in Support of Claimant's Motion to Consolidate filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

September 16, 1998

Notice of Service of Request for Production of Documents filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

October 2, 1998

Response in Opposition to Claimants= Motion to Consolidate as well as Brief in Support of Response in Opposition to Claimants= Motion to Consolidate filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

*** November 9, 1998**

The Board rendered an Opinion and made the following Order: **AND NOW** this 9th day of November, 1998 upon consideration of Plaintiff=s motion to consolidate Docket Nos. 1932, 1977, 2259, 2419, 2541, 2552, and 2648, and Defendant=s opposition thereto, it is hereby **ORDERED** that: 1) the motion to consolidate is **DENIED IN PART** and Docket No. 1932 will not be consolidated with any other claim; and 2) the motion to consolidate will be **GRANTED IN PART** and Docket Nos. 1977, 2259, 2419, 2541, 2552, and 2648 will be consolidated for hearing. It is further **ORDERED** that all discovery in these claims be completed within six months of the exit date of this Order.@ Copies forwarded to attorney for Plaintiff and attorney for Defendant.

November 18, 1998

Acceptance of Service of Opinion and Order dated November 9, 1998 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant November 13, 1998.

November 18, 1998

Acceptance of Service of Opinion and order dated November 9, 1998 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff November 16, 1998.

December 7, 1998

Entry of Appearance of Jason W. Manne, Assistant Counsel, on behalf of Defendant, filed by attorney for Defendant.

December 14, 1998

DPW=s First Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

December 14, 1998

Notice of Service of Defendant's Second Set of Interrogatories and Second Request for Production of Documents filed by attorney for Defendant.

December 30, 1998

Claimant's Response to Respondent's First Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 5, 1999

Notice of Service of Claimant's Response to Respondent's Second Request for Production of Documents and Second Set of Interrogatories filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 6, 1999

DPW's Brief in Support of First Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 9, 1999

DPW's Second Motion to Compel Discovery (Document Production Issues) as well as DPW's Brief in Support of Second Motion to Compel Discovery (Document Production Issues) filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 26, 1999

Claimant's Response to Respondent's First Motion to Compel Discovery and Cross-Motion for a Protective Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 28, 1999

Claimant's Response to Respondent's Second Motion to Compel Discovery and Cross-Motion for a Protective Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 31, 1999

DPW's Reply Brief in Support of Second Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

September 9, 1999

The Board rendered an Opinion and made the following Order: **AND NOW**, this 9th day of September, 1999, Defendant~~s~~, Commonwealth of Pennsylvania, Department of Public Welfare, First and Second Motions to Compel discovery are hereby **GRANTED**. Claimant, Integrated Health Services, Inc., IHS of PA at Broomall, shall provide full and complete answers to interrogatories propounded upon it on July 31, 1998, specifically Nos. 4, 5 and 6. Claimant shall further provide full and complete answers, including documentation, if requested, to Request Nos. 1, 2, 3, 5, 6, 9 and 12 to a Motion for Production of Documents propounded upon it on December 11, 1998. All of the above shall be accomplished within thirty (30) days of the date of this Order or the Claimant may be subject to sanctions.@ Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 21, 1999

Acceptance of Service of Opinion and Order dated September 9, 1999 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 18, 1999.

March 28, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **April 27, 2000**.

March 30, 2000

Letter/Status Report received from attorney for Plaintiff advising that the parties are attempting to complete a global settlement of several pending BOC cases and Claimant submitted a settlement proposal on May 27, 1999 and September 3, 1999, which was supplemented, and they are awaiting a response to same from Defendant.

October 2, 2000

Letter forwarded to parties requesting a Status Report. Status Report due on or before **November 1, 2000**.

October 24, 2000

Letter received from attorney for Plaintiff advising that the parties are in the midst of settlement negotiations and it is hoped that they will reach a fair and equitable settlement of all outstanding issues in this matter.

May 14, 2001

Letter forwarded to parties requesting a Status Report. Status Report due on or before **June 13, 2001.**

June 15, 2001

Letter received from attorney for Plaintiff advising that the parties are in the midst of settlement negotiations and it is hoped that they will reach a fair and equitable settlement of all outstanding issues in this matter.

January 17, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before February 19, 2002.

February 19, 2002

Letter received from attorney for Plaintiff advising that they intend to continue with settlement negotiations with Defendant and that it is hoped that a fair and equitable settlement of all outstanding issues will be reached.

August 28, 2002

Letter forwarded to parties requesting a Status Report. Status Report due on or before **September 27, 2002.**

October 4, 2002

Letter received from attorney for Plaintiff advising that they intend to continue settlement negotiations with Defendant and that it is hoped that a fair and equitable settlement of all outstanding issues in the matter will be reached.

November 5, 2002

Letter received from Plaintiff requesting a hearing be set, or in the alternative, a pre-hearing conference to resolve any pre-trial issues, if any exist.

November 7, 2002

Letter received from Defendant, in response to Plaintiff's request for a hearing, requesting that Plaintiff should file their pre-trial statement, etc., which would allow Defendant to determine what adjustments and issues they intend to litigate. At that point, Defendant would either file a Pre-Trial Statement, or request a pre-hearing conference.

November 12, 2002

Letter received from attorney for Plaintiff, via facsimile, requesting a 60 day extension of his November 4, 2002 request for a hearing for the above-matters, pending Defendant's review of the latest settlement offer made by Plaintiff. If settlement is not reached, Plaintiff will file its Pre-Trial Statement as requested by Defendant in its November 6, 2002 letter to the Board.

January 7, 2003

Letter received from Plaintiff requesting an additional 30 day extension of his 11/4/02 request for a hearing for the above-matters, pending Defendant's review of the latest settlement offer. If settlement is not reached, Plaintiff will file its Pre-Trial as requested by Defendant in its 11/6/02 letter to the Board.

January 9, 2003

Letter forwarded to attorney for Plaintiff, with copy to attorney for Defendant, granting Plaintiff's request for an additional 30 day stay of his hearing request pending settlement negotiations. Status Report due on or before **February 7, 2003**.

February 6, 2003

Letter received from Plaintiff advising that the parties are involved in settlement negotiations and it is hoped that they can reach a fair and equitable settlement of all outstanding issues.

August 31, 2005

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 31st day of August, 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 13, 2005

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

September 14, 2005

Plaintiff filed Acceptance of Service of Opinion and Order dated August 31, 2005. Receipt of same acknowledged September 13, 2005.
