

Docket Number: 2707

PENN MED CONSULTANTS, INC.,  
PRAXIS NURSING HOME

~~Samuel Fineman, Esquire~~  
Louis J. Capozzi, Jr., Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF PUBLIC WELFARE

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

**July 7, 1998**

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

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**July 9, 1998**

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. **ANSWER DUE FROM DEFENDANT AUGUST 10, 1998.**

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**July 15, 1998**

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 10, 1998.

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**August 6, 1998**

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

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**August 13, 1998**

Letter forwarded to Plaintiff requesting response to New Matter. Response due from Plaintiff September 14, 1998.

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**September 8, 1998**

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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**September 9, 1998**

Letter forwarded to parties directing parties to commence with discovery.

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**November 15, 1999**

Letter forwarded to parties requesting status. Response due from parties December 15, 1999.

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**November 22, 1999**

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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**August 24, 2000**

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

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**August 28, 2000**

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

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**August 30, 2000**

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

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**November 22, 2000**

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

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**January 18, 2002**

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

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**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.

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**February 20, 2002**

Status letter received from attorney for Plaintiff advising that settlement negotiations have not proved fruitful and that they are continuing on with discovery in an effort to move this case to hearing as soon as possible.

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**May 29, 2002**

Notice of Service of Request for Production of Documents of Claimant, propounded upon Respondent filed.

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**May 29, 2002**

Notice of Service of Plaintiff's First Set of Interrogatories

Propounded upon Defendant filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**June 5, 2002**

Motion to Consolidate docket nos. 2499, 2706, 2496, 2707, 2668 & 2303 as well as Brief in Support filed by attorney for Plaintiff.

Response due from Defendant July 8, 2002.

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**June 18, 2002**

Brief in Reply to the Brief in Opposition to Consolidation and Hearing filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 3, 2002**

Response to Claimant's Motion to Consolidate filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

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**July 11, 2002**

Letter received from attorney for Plaintiff requesting a hearing be set.

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**February 11, 2003**

The Motion of the Claimant, Whitecliff Nursing Home, to Compel Discovery, and Renewed Request to Set Discovery Deadlines and a Definitive Hearing Date and for Consolidation as well as Brief in Support filed by attorney for Plaintiff.

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**March 3, 2003**

Letter received from attorney for Plaintiff via fax requesting a formal pre-hearing conference be scheduled relative to the case management of all cases involved in the motion to consolidate (2303, 2496, 2499, 2668, 2706, 2707).

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**March 4, 2003**

Letter received from attorney for Plaintiff via U.S. Mail requesting a formal pre-hearing conference be scheduled relative

to the case management of all cases involved in the motion to consolidate (2303, 2496, 2499, 2668, 2706, 2707).

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**March 14, 2003**

DPW's Answer and New Matter in Opposition to Motion to Compel Discovery and Renewed Motions for Discovery Deadlines, Hearing and Consolidation filed by attorney for Defendant. Response to New Matter due from Plaintiff April 3, 2003.

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**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.

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**April 14, 2003**

The Answer of the Claimant, Praxis Nursing Home, to the New Matter of the Respondent in Opposition to the Claimant's Motion for Discovery Sanctions Against the Respondent, and Renewed Request to Set Discovery Deadlines and a Definitive Hearing Date and for Consolidation filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

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**July 8, 2003**

Board issued Opinion and Order. Order as follows: **AND NOW**, this 8th day of June, 2003, upon consideration of Claimant's Motion to Consolidate and the Respondent's Objection to the Motion, it is hereby **ORDERED** and **DECREED** that the Motion to Consolidate the Claims at Docket Nos. 2303, 2496, 2499, 2668, 2706 and 2707 is hereby **DENIED**.@ Copy forwarded to Plaintiff and Defendant.

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**July 9, 2003**

Board issued Opinion and Order. Order as follows: **AND NOW**, this 9th day of July, 2003, after consideration of the Motion and Answers, thereto, and the Briefs filed by the respective parties; it is hereby **ORDERED** and **DECREED** that the Motion of the Claimant for Discovery Sanctions, Renewed Request to Set Discovery Deadlines and a Definitive Hearing Date and for Consolidation against the Respondent, Commonwealth of Pennsylvania, Department of Public Welfare, is hereby **GRANTED**, in part, and **DENIED** in part. Respondent is **ORDERED** to provide full and complete answers to any outstanding Interrogatories and

Request for Production of Documents within twenty (20) days of the exit date of this Order. The Renewed Request for a Definitive Hearing Date and Pre-hearing Conference are **DENIED** at this time, and the Renewed Request for Consolidation is deemed **MOOT** since the Board denied it in an earlier Order.@ Copy forwarded to Plaintiff and Defendant.

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**July 14, 2003**

Defendant filed Acceptance of Service of Opinion and Order dated July 9, 2003. Receipt of same acknowledged July 11, 2003.

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**July 29, 2003**

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

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**October 31, 2005**

Board rendered an Opinion and Order. Order as follows: "**AND NOW**, this 31<sup>st</sup> 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."

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**October 31, 2005**

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

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**November 2, 2005**

Defendant filed Acceptance of Service of Opinion and Order dated October 31, 2005. Receipt of same acknowledged November 1, 2005.

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