

Docket Number: 2717

LANCASTER NURSING CENTER ASSOCIATES T/A,
COVENTRY MANOR NURSING HOME

~~Samuel A. Fineman, Esquire~~
~~Louis J. Capezzi, Jr., Esquire~~
Donald R. Reavey, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

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

July 22, 1998

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

July 23, 1998

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT 8/24/98.

July 29, 1998

Acceptance of Service of Complaint received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 24, 1998.

July 31, 1998

Acceptance of Service of Complaint received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 27, 1998.

August 19, 1998

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

September 8, 1998

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

September 15, 1998

Letter forwarded to the parties directing them to proceed with discovery.

July 8, 1999

Letter forwarded to parties requesting a status report. Status report due on or before August 9, 1999.

August 9, 1999

Letter/Status Report received from attorney for Plaintiff advising that after review of the permanent file by Plaintiff's consultant, a position paper for Docket No. 2502 will be prepared and submitted to Defendant and once that is complete, any additional discovery for this matter will be conducted.

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. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 21, 2000

Letter forwarded to parties requesting a status. **Now due 4/21/00.**

March 29, 2000

Letter received from attorney for Plaintiff advising that the parties are involved in a global settlement of claims in the above-captioned matter as well as Docket No. 2502 allowing discovery to be held pending the outcome of these negotiations.

April 27, 2001

Letter forwarded to parties requesting a status. Due 5/29/01.

April 30, 2001

Letter received from Plaintiff advising that the parties are involved in negotiations to resolve this appeal. If the parties cannot reach a settlement Claimant will request a hearing before the Board.

January 3, 2002

Status report forwarded to parties. Due 2-4-02.

February 6, 2002

Letter received from attorney for Plaintiff advising that they will proceed to take discovery and move this case to hearing.

May 1, 2002

The Petition of the Claimant, Penn Med Consultant, Inc., d/b/a as Coventry Manor Nursing Home, for Leave to Amend Claim and Brief in Support of the Petition of Claimant, Penn Med Consultants, Inc., d/b/a Coventry Manor Nursing Home for Leave to Amend Claim filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. Response due from **Defendant 6/17/02.**

May 24, 2002

Notice of Service of The First Set of Interrogatories of Claimant, Propounded Upon the Respondent, and the Request for Production of Documents of Claimant filed by attorney for Plaintiff.

May 28, 2002

Letter received from attorney for Defendant advising that they do not object to Plaintiff's Motion to Amend Claim and does not intend to file an answer or brief in opposition.

July 3, 2002

The Board rendered an Opinion and made the following Order: **AND NOW**, this 3rd day of July, 2002, upon consideration of Plaintiff's Petition for Leave to Amend Claim and Defendant's indicated lack of objection, it is hereby **ORDERED** that the Petition be **GRANTED**. Plaintiff is further directed to file said Amended Claim with the correct caption of Lancaster Nursing Center Associates t/a Coventry Manor Nursing Home and not Penn Med Consultants, Inc., Coventry Manor Nursing Home. Plaintiff is directed to file its Amended Claim within thirty (30) days from the exit of this Order. Copy forwarded to attorney for Plaintiff and Defendant.

July 9, 2002

Acceptance of Service of Opinion and Order dated July 3, 2002, received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 8, 2002.

July 17, 2002

*Amended Claim filed by attorney for Plaintiff. Amount of Claim: Unchanged.

July 25, 2002

Acceptance of Service of Amended Claim filed by attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 23, 2002.

July 25, 2002

Acceptance of Service of Amended Claim filed by Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General July 22, 2002.

August 19, 2002

Answer and New Matter to Amended Statement of Claim filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **RESPONSE DUE FROM DEFENDANT SEPTEMBER 26, 2002.**

September 23, 2002

The Answer of the Claimant, Coventry Manor Nursing Home, to the Respondent's New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

January 22, 2003

Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff. **Response due from Defendant 2-13-02.**

February 12, 2003

DPW's Answer and New Matter in Opposition to Motion to Compel Discovery filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. **Response due from Plaintiff March 13, 2003.**

March 27, 2003

Answer of the Claimant, Lancaster Nursing Center Associates, T/A Coventry Manor Nursing Home, to DPW's New Matter In Opposition to Motion to Compel Discovery filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 7, 2003

Notice of Service of Department's Response to Claimant's First Set of Interrogatories served upon Plaintiff by Defendant.

November 10, 2003

Board issued Opinion and Order. Order as follows: **AND NOW**, this 10th day of November, 2003, the Plaintiff, Lancaster Nursing Center Associates, t/a Coventry Manor Nursing Home, Motion to Compel Discovery is hereby **GRANTED**. The Defendant, Commonwealth of Pennsylvania, Department of Public Welfare, is hereby **ORDERED** to make its reply to Plaintiff's request for documentation and

things in accordance with the Pennsylvania Rules of Civil Procedure within twenty (20) days of the exit date hereof. It is further hereby **ORDERED** and **DECREED** that the Defendant is **DIRECTED** to file written answers to Plaintiff's Interrogatories within twenty (20) days of the exit date hereof. Copies forwarded to Plaintiff and Defendant.

November 17, 2003

Defendant filed Acceptance of Service of Opinion and Order dated November 10, 2003. Receipt of same acknowledged November 13, 2003.

December 9, 2003

Plaintiff filed Acceptance of Service of Opinion and Order dated November 10, 2003. Receipt of same acknowledged November 19, 2003.

October 18, 2005

Board rendered an Opinion and Order. Order as follows: **"AND NOW**, this 18th 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 24, 2005

Defendant filed Acceptance of Service of Opinion and Order dated October 18, 2005. Receipt of same acknowledged October 20, 2005.

October 24, 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 October 18, 2005. Receipt of same acknowledged October 27, 2005.
