

Docket Number: 3509

CROZER-GENESIS ELDERCARE LIMITED PARTNERSHIP, d/b/a Belvedere Nursing & Convalescent Center, Chapel Manor Nursing & Rehabilitation Center, Harston Hall Nursing & Convalescent Center, and Pennsburg Manor; GERIATRIC & MEDICAL SERVICES, INC., d/b/a Brandywine Hall, Fairview Care Center of Bethlehem Pike, Fairview Care Center of Paper Mill Road, Liberty Court, Mayo Center, and Silver Stream Center; HEALTHCARE RESOURCES CORPORATION, d/b/a Homestead Center; THE STRAUS GROUP - QUAKER TOWN MANOR, L.P., d/b/a Quaker Town Center; CRESTVIEW NORTH, Inc., d/b/a Crestview Center; NORRISTOWN NURSING AND REHABILITATION CENTER ASSOCIATES, L.P., d/b/a Kintenhise Pine Center; CRESTVIEW CONVASCENT HOME, INC., d/b/a Hillcrest Center; DORM, Inc., d/b/a Sanatoga Center; and MONTGOMERY NURSING HOMES, Inc., d/b/a Willow Ridge Center

Michael Hynum, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

Leonard W. Crumb, Assistant Counsel
John A. Kane, Chief Counsel
Mary Frances Grabowski, Senior Assistant Counsel

*** June 19, 2002**

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

June 21, 2002

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General. ANSWER DUE FROM DEFENDANT JULY 22, 2002.

June 27, 2002

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant June 24, 2002.

June 28, 2002

Acceptance of Service of Claim received from Chief Deputy Attorney General. Receipt of same acknowledged by Chief Deputy Attorney General June 25, 2002.

July 25, 2002

Preliminary Objections as well as Brief in Support of Respondent's Preliminary Objections filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant. ***Plaintiff's Response and Brief due August 26, 2002.***

August 29, 2002

Claimants' Answer to Preliminary Objections and Claimants' Brief in Opposition to Preliminary Objections filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

April 10, 2003

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of April, 2003, it is **ORDERED** and **DECREED** that Defendant's Preliminary Objections as to the Board's subject-matter jurisdiction are **SUSTAINED**. Plaintiff is **GRANTED** thirty (30) days leave to amend its claim to correct the jurisdictional defects noted above." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

April 15, 2003

Acceptance of Service of Opinion and Order dated April 10, 2003 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff April 14, 2003.

April 17, 2003

Acceptance of Service of Opinion and Order dated April 10, 2003 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant April 14, 2003.

*** May 12, 2003**

Plaintiff filed Amended Statement of Claim. Amount of Claim: unchanged.

May 15, 2003

Board forwarded copy of Amended Statement of Claim to Defendant and Chief Deputy Attorney General. **RESPONSE DUE FROM DEFENDANT: June 9, 2003.**

May 19, 2003

Defendant filed Acceptance of Service of Amended Statement of Claim. Receipt of same acknowledged by Defendant May 19, 2003.

May 20, 2003

Chief Deputy Attorney General filed Acceptance of Service of Amended Statement of Claim. Receipt of same acknowledged by Chief Deputy Attorney General May 16, 2003.

June 3, 2003

Defendant filed Preliminary Objections to Amended Statement of Claim and Brief in Support of Preliminary Objections to Amended Statement of Claim. Copy forwarded to Plaintiff.

July 7, 2003

Plaintiff filed Claimant's Answer to Preliminary Objections and Brief in Opposition to Preliminary Objections. Copy forwarded to Defendant.

November 10, 2003

Board issued Opinion and Order. Order as follows: "**AND NOW**, this 10th day of November, 2003, it is **ORDERED** and **DECREED** that Defendant's Preliminary Objections to the Amended Statement of Claim, as to the Board's subject matter jurisdiction, are **SUSTAINED**. Accordingly, pursuant to 42 Pa. C.S.A. '5103(a) and Pa.R.C.P. 213, this matter will be **TRANSFERRED** to the Department of Public Welfare, Bureau of Hearings and Appeals." Copy forwarded to Plaintiff and Defendant.

November 14, 2003

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

November 17, 2003

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

CLOSED