Docket Number: 3510

BRINTON MANOR, INC., d/b/a Brinton Manor; HIGHLAND HEALTH SYSTEM, INC., d/b/a Highland Center; THE STRAUS GROUP - HOUSE, LIMITED PARTNERSHIP, d/b/a Hopkins Center; GMA - UNIONTOWN, INC., d/b/a Laurel Ridge Center; JHS EXTENDED CARE, d/b/a Wayne Center; ENCARE of PENNYPACK, INC., d/b/a Pennypack Center

Michael Hynum, Esquire

CLOSED

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,
200~~~.~~

June ~~~8,~~ ~~~~02

~~A~~eptance of ~~S~~ervice o~~~~ Claim r~~~~ceived ~~~om ~~~~ief Deput~~ Attor~~~y
G~~~eral. Re~~~ipt of s~~~e ack~~~wl~~dged ~~~y ~~~~ief Depu~~~ Atto~~~~y
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July 24, 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 23, 2002.

August 30, 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