COMMONWEALTH OF PENNSYVLANIA DEPARTMENT OF PUBLIC WELFARE

PROVIDER NAME/ADDRESS:	PROVIDER'S REPRESENTATIVE	PROVIDER'S WITNESS (ES)		
MONGTOMERY HOSPITAL MEDICAL	TIMOTHY M. CASEY, CEO/PRESIDENT	XXXXXXXXXX		
CENTER		XXXXXXXXXX		
1301 POWELL STREET		XXXXXXXXXX		
NORRISTOWN, PA 19404-0992		XXXXXXXXXX		
		XXXXXXXXXX		
RECIPIENTS INVLOVED:	DEPARTMENT REPRESENTATIVE	DEPARTMENT WITNESS(ES)		
XXXXXXXXXX		XXXXXXXXXX		

CASE #	BHA DOCKET NUMBERS/ISSUE CODES		
XXXXXXXXXX	W04-2873/922		
DATE ADVERSE ACTION MAILED	DATE APPPEAL RECEIVED	DATE APPEAL RECEIVED	IR DUE DATE
	POSTMARKED AT DPW	AT BHA	
7/29/2003		8/26/2003	
DATE SCHEDULING NOTICE MAILED	RESCHEDULED TO	DATE OF HEARING	START TIME
			END TIME
HEARING LOCATION	TELEPHONE	FACE TO FACE	OTHER

ORDER

AND NOW, after careful review and consideration of the Recommendation of the Administrative Law Judge, it is hereby **ORDERED** that the Recommendation be adopted in its entirety.

Either party to this proceeding has fifteen (15) calendar days from the date of this decision to request reconsideration by the Secretary of the Department. To seek reconsideration, you must fully complete the enclosed application/petition for reconsideration. The application/petition shall be addressed to the Secretary, but delivered to the Director, Bureau of Hearings and Appeals, P.O. Box 2675, Harrisburg, Pennsylvania, 17105-2675, and must be received in the Bureau of Hearings and Appeals within fifteen (15) calendar days from the date of this Order. This action does not stop the time within which an appeal must be filed to Commonwealth Court.

The appropriate party(ies), where permitted, may take issue with this Adjudication, and Order, and may appeal to the Commonwealth Court of Pennsylvania, within thirty (30) days from the date of this order. This appeal <u>must be filed</u> with the Clerk of Commonwealth Court of Pennsylvania, Room 624, Irvis Office Building, Harrisburg, Pennsylvania 17120.

If you file an appeal with the Commonwealth Court, a copy of the appeal must be served on the government unit which made the determination in accordance with Pa. R.A.P. 1514. In this case, service must be made to: Department of Public Welfare, Bureau of Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, Pennsylvania 17110-9721, **AND** Department of Public Welfare, Office of Legal Counsel, Room 309 Health & Welfare Building, Harrisburg, PA 17120.

Bureau of Hearings and Appeals Final Administration Action and Mailing Date 9/27/2004

Thomas E. Cl Thomas E. Cheffins, Chief Administrative Law Judge

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

APPEAL OF: MONTGOMERY HOSPITAL MEDICAL CENTER 1301 POWELL STREET NORRISTOWN, PA 19404-0992

RECOMMENDATION

It is hereby Recommended that the appeal of Appellant should be **DISMISSED** as moot.

Forturate & Musto

September 27, 2004 Date

Fortunata G. Musto, Esquire Administrative Law Judge

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

APPEAL OF: MONTGOMERY HOSPITAL MEDICAL CENTER 1301 POWELL STREET NORRISTOWN, PA 19404-0992

ADJUDICATION

OPENING STATEMENT

This is decision on the appeal of the Montgomery Hospital Medical Center, Appellant, from a decision by the Department of Public Welfare, Bureau of Program Integrity (Department) to retrospectively deny payment for the inpatient hospital treatment of the recipient on February 24, 1996 to February 27, 1996.

FINDINGS OF FACT

- 1. On July 29, 2003 the Department retrospectively denied payment for the inpatient treatment of the recipient on February 24, 1996 to February 27, 1996.
- 2. On August 26, 2003 the Appellant filed a timely appeal.
- 3. On September 30, 2003 the Department rescinded the denial of payment.
- 4. On September 7, 2004 the undersigned issued a Rule to Show Cause why the appeal should not be dismissed as moot.
- 5. The Appellant did not respond to the Rule to Show Cause.

DISCUSSION

The Appellant filed an appeal from the decision of the Department to retrospectively deny payment for the inpatient hospitalization of the recipient on February 24, 1996 to February 27, 1996 the Department rescinded its denial of payment.

The Appellant's appeal has been rendered moot by the action of the Department in rescinding the denial of payment. Appellant's appeal should therefore be dismissed as moot. A recommendation to the Chief Administrative Law Judge will be made consistent with these findings and conclusions.