

**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.

September 27, 2004
Date



Fortunata G. Musto, Esquire
Administrative Law Judge

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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 On September 30, 2003 the Department rescinded the denial of payment.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payment for the inpatient hospitalization of the recipient on February 24, 1996 to February 27, 1996 the Department rescinded its denial of payment.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.