# COMMONWEALTH OF PENNSYVLANIA DEPARTMENT OF PUBLIC WELFARE

PROVIDER NAME/ADDRESS:	PROVIDER'S REPRESENTATIVE	PROVIDER'S WITNESS (ES)
HANOVER HOSPITAL	PAMELA OWENS, HEALTH INFORMATION	XXXXXXXXX
300 HIGHLAND AVENUE	MANAGEMENT	XXXXXXXXX
HANOVER, PA 17331-2297		XXXXXXXXX
		XXXXXXXXX
		XXXXXXXXX
RECIPIENTS INVLOVED:	DEPARTMENT REPRESENTATIVE	DEPARTMENT WITNESS(ES)
XXXXXXXXX	PAMELA MCCARTER, MD	XXXXXXXXX
XXXXXXXXX		XXXXXXXXX

CASE#	BHA DOCK	ET NUMBERS/ISSUE CODES	
XXXXXXXXX	W05-0990/922		
DATE ADVERSE ACTION MAILED	DATE APPPEAL RECEIVED POSTMARKED AT DPW	DATE APPEAL RECEIVED AT BHA	IR DUE DATE
2/8/2005	3/10/2005	3/12/2005	
DATE SCHEDULING NOTICE MAILED	RESCHEDULED TO	DATE OF HEARING	START TIME
			9:12 AM
5/4/2005		5/23/2005	END TIME
			9:15 AM
HEARING LOCATION	TELEPHONE	FACE TO FACE	OTHER
PLYMOUTH, PA			

#### 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, 2<sup>nd</sup> 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 5/27/2005	Thomas Cheffins, Chief Administrative Law Judge
CC: XXXXXXXXXX XXXXXXXXXX	

XXXXXXXXXX XXXXXXXXXXX XXXXXXXXXX

# **COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE**

APPEAL OF: HANOVER HOSPITAL

300 HIGHLAND AVENUE HANOVER, PA 17331-2297

# **RECOMMENDATION**

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

May 27, 2005

Date

Biagio V. Musto II, Esquire

Biago. V. mist. II

Administrative Law Judge

# COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

**APPEAL OF:** HANOVER HOSPITAL

300 HIGHLAND AVENUE HANOVER, PA 17331-2297

## **ADJUDICATION**

## **OPENING STATEMENT**

This is an adjudication on the appeal of Hanover Hospital, Appellant, from a determination by the Department of Public Welfare - Bureau of Program Integrity (Department) which retrospectively denied reimbursement for the admission of the patient. A telephone hearing was convened on May 23, 2005 at 9:12 a.m. from the Bureau of Hearings and Appeals, 117 West Main Street, Plymouth, Pennsylvania.

Biagio V. Musto, II, Esquire, Administrative Law Judge, presided.

#### **ISSUE**

Whether the Department correctly denied reimbursement retrospectively for the June 6, 1997 admission of the patient due to a lack of medical necessity and incorrect diagnosis.

# **FINDINGS OF FACT**

- 1. On February 8, 2005, the Department retrospectively denied reimbursement for the admission of the patient due to a lack of medical necessity and an incorrect diagnosis.
- 2. The Appellant filed an appeal which was dated March 8, 2005 and received on March 12, 2005.
- 3. On May 4, 2005, the Department of Public Welfare, Bureau of Hearings and Appeals scheduled a telephone hearing to be conducted regarding this matter on May 23, 2005 at 9:45 a.m.
- 4. At the time of the scheduled hearing, the Appellant's representative stated that there was no need to proceed with the appeal and requested that the appeal be dismissed.

### **DISCUSSION**

The Appellant appealed from a determination by the Department denying reimbursement retrospectively at the level requested for the admission of the patient. However, at the time of the hearing, the Appellant's representative stated that there was no need to proceed with the appeal and requested that the appeal be dismissed.

Accordingly, Appellant's appeal should be dismissed. A recommendation to the Chief Administrative Law Judge will be made consistent with these findings and conclusions.