NH rate literation lord

## Litigation

			A STATE OF THE STA			
File Number	Title	Nature	Туре	Adversary Attorney Name	DOH Attorney	Status Date
10279	Health Care Facility	Petitioners seek to invalidate the Depts current Medicaid rate-	OHSM Reimbursement - Nursing Home		Zahnleuter, Rick	Received Pending 10/19/2011
	Shah, et al.	setting methodology for- NH services for the			*	
		period on and after				
	*1	1/1/11, on the ground said methodology				
	3	violates federal				
	a-	Medicaid law rate- setting standards.			** ×	**
10278	Schenectady Nursing	The state of the s	OHSM Reimbursement -	Datable A Consess		Line of the company of
	and Rehabilitation Center, LLC d/b/a The Avenue Nursing and	Order declaring rate periods 2007 forward	Nursing Home	Paralegal of O'Connell & Aronowitz	Zahnleuter, Rick	Pending 10/17/2011
		that the Depts calculation of the			and the second	
	Shah	Petitioner's Medicaid		H 16		
		reimbursement rates based on the				
		Petitioner's (first)		*		
355		submission of a 12				
		month cost report for 7/1/07 to 6/30/08 was				
10277	Cold Spring Hills Center	erroneous as to vari	Author with the	2 2 2 2 2 2		
.02//	for Nursing and	Order declaring for rate	OMSM Reimbursement - Nursing Home	Thomas G. Smith, Esq., of Harter Secrest &	Zahnleuter, Rick	Pending 10/21/2011
82	Rehabilitation v. Shah,	periods 2009 forward		Emery, LLP		
	Megna, et al.	that the Dept's calculation of the		**************************************		
		Petitioner's Medicaid				
		reimbursement rates			*	
		based on a pre-Berger Commission 2008 bed	•			•,
		capacity of 672 instead			24	
		of the post Berger Commission actual bed				
		сарас				
10276	Bayberry Nursing Home, et al. v. Shah,	Plaintiff seeking	OHSM Reimbursement		Zahnleuter, Rick	Pending 11/03/2011
	Megna, et al. v. Snan,	judgment (a) declaring that Medicaid rates	Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		
		promgulated in June	3.	Denneto, LLP		
	. *	2011 for the period from April 2009 through				
		at leaste Sept. 2011 are				
		improper, unlawfuol and				
		deficient; and (b) directing recalculation				
		of Medicaid rates and				
10273	Odd Fellows & Rebekah	payment at the r Petitioner is seeking an	OUCAS Palalana		12 180 LVALE	
20275	Rehabilitation and	Order from the Court	Nursing Home	<ul> <li>Ruffo Tabora Mainello &amp; McKay, P.C.</li> </ul>	Conner, Caitlin	Pending 11/18/2011
3.5	Health Care Center, Inc. v. Commissioner of		0.000			
	Health of the State of	the CPLR: (1) annulling the determination				
	New York et al.	issued July 15, 2011				*
		insofar as it upheld the disallowance of certain				
		operating and property		ng u ii		
		costs (e.g., reclassification of		. 3	v.	(%)
	4	employee salaries				
10272		Petitioner is seeking an	OHSM Reimbursement	- Ruffo, Tabora Mainello	Conner, Caitlin	Pending 11/18/2011
	Corporation v. Commissioner of Health	Order from the Court pursuant to Art. 78 of	Nursing Home	& McKay, P.C.		
	of the State of New	the CPLR: (1) annulling				
	York, et al.	the determination issued on July 15, 2011				¥6
		insofar as it upheld				
		adjustments from				
	N 1.40	investment income offset and for working	2 2			
		capital interest; and (2)			a ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	28
10263	United Home for Aged	directing the r	OUCH Palata	There C. Blank		A
10203	Hebrews, et al. v. New	Order declaring for rate	Nursing Home	<ul> <li>Thomas S. D'Antonio of Ward Greenberg Heller</li> </ul>	zannieuter, Rick	Pending 11/01/2011
	York State Department	periods 2009 forward		& Reidy, LLP		
	of Health, et al.	that the Department calculated Medicaid		39		Us
		reimbursement rates	- F		il st	
14		incorrectly by including contrary to the Kateri	,	2.		
		Court decision,				
	x .					

		recommed had daying in	(i) 12			
		reserved bed days" in patient days."				
10262			OHSM Paimhursement -	Thomas S. D'Antonio of	Zabeliche Old	2002
		Order declaring for rate	Nursing Home	Ward Greenberg Heller	Zannieuter, Rick	Pending 11/01/2011
	Inc., et al. v. New York	periods 2009 forward		& Reidy, LLP		
		that the Department		PRODUCTION CORPORATION CO.		
		calculated Medicaid				
88		reimbursement rates Incorrectly by including				
		contrary to the Kateri				
20		Court decision,				
*		"Reserved bed days" in	47	2		
		"patient days."				
10261	Autumn View Health	Petitioner is seeking an	OHSM Reimbursement -	Thomas S. D'Antonio of	Zahnleuter, Rick	Pending 11/01/2011
		Order declaring for rate periods 2009 forward		Ward Greenberg Heller		
		that the Department		& Reidy LLP		
		calculated Medicaid				
*		reimbursement rates				
		incorrectly by including,				
		contrary to the Kateri				
		Court decision, "reserved bed days" in	6			
		"patient days".				
10260	Carthage Nursing &		OHSM Reimbursement -	Patricia A Panny	Zahnleuter, Rick	Part - spirotost
	Rehabilitation Center,	Order declaring for rate	Nursing Home	Paralegal of O'Connell &	Laimester, rock	Pending 10/18/2011
	LLC, d/b/a The Country	periods 2009 forward		Aronowitz		
	Manor Nursing &	that the Dept.				255
	Rehabilitation Centre v. Shah					
1.00	Shall	reimbursement rates incorrectly by including			6	
		contrary to the Kateri				
	7	court decision,				
		"reserbed bed days" in				
		"patient days."				4
10259	Tenu Museina 9	Petitioner is also seekin	DUCH D		23.3	
10235	Troy Nursing & Rehabilitation Center,	Order declaring for rate	OHSM Reimbursement -		Zahnleuter, Rick	Pending 10/18/2011
	LLC, d/b/a The Springs	periods 2009 forward	Nursing frome	Paralegal of O'Connell & Aronowitz		
	Nursing and	that the Dept.		en yearens.	12	
190	Rehabilitation Centre v.					
	Shah	reimbursement rates				
		nicorrectly by including contrary to the Kateri	*			
		court decision,				
		"reserved bed days" in				10
		"patient days."		2		
		Petitioner is also seekin				Torrespondent
10258	Glens Falls Nursing &		OHSM Reimbursement -	Patricia A. Ranney,	Zahnleuter, Rick	Pending 10/18/2011
	Rehabilitation Center,	Order declaring for rate	Nursing Home	Paralegal of O'Connell 8		
	LLC, d/b/a The Stanton Nursing & Rehabilitation			Aronowitz		
	Centre v. Shah	calculated Medicaid				8 2
		reimbursement rates				
	(4	incorrectly by including				
		contrary to the Kateri				
		court decision, "reserved bed days" in				
		"patient days."				
	\$6 E	Petiltoner is also seeki				
10257	Jansen Road Nursing &	Petitioner is seeking an	OHSM Reimbursement	- Patricia A. Ranney,	Zahnleuter, Rick	Pending 10/18/2011
	Rehabilitation Center,	Order declaring for rate	Nursing Home	Paralegal of O'Connell 8	l .	15.00
	LLC, d/b/a The Mountain View Nursing	periods 2009 forward		Aronowitz		
	& Rehabilitation Centre					74
	v. Shah	reimbursement rates	19			
		incorrectly by including			-17	
		contrary to the Kateri	60.		2	
		court decision,				
		"reserved bed days" in				
		"patient days." Petitioner is also seekir	·	¥2		
10256	Minoa Nursing &		OHSM Reimbursement	- Datelein & Dannau	Tabalayean Diel	Pending 10/18/2011
10230	Rehabilitation Center,	Order declaring for rate		Paralegal of O'Connell 1	Zahnleuter, Rick	Pending 10/18/2011
	LLC, d/b/a The	periods 2009 forward		Aronowitz	- "	
	Crossings Nursing &	that hte Dept.				*
	Rehabilitation Centre v					
¥1	Shah	reimbursement rates				
		incorrectly by including contrary to the Kateri		8 , "		
	22	court decision,				
*		"reserved bed days" in				
		"patient days."				25
222		Petitioner is also seeki				
1025			n OHSM Reimbursement		Zahnleuter, Rick	Pending 10/18/2011
	Rehabilitation Center,	Order declaring for rat d periods 2009 forward	e wursing nome .	Paralegal of O'Connell Aronowitz	St.	
		on that the Kateri court		is oromic.		
	Centre v. Shah	deicsion, "reserved be-	đ			

				•			
		days" in "patient days."					
		Petitioner is also					
		seeking an Order					
		granting its various					
		pending rate appeals on:					
		the ground that the			**		
		Dept. is II					
10254	Schenectady Nursing	Petitioner is seeking an	OHSM Paimburgament	Datalaia & Danse		200	
	and Rehabilitation	Order declaring for rate	Nursing Home		Zahnleuter, Rick	Pending	10/18/2011
	Center LLC, d/b/a Dutch	periods 2009 forward	troi sing i forme	Paralegal			
	Manor Nursing and	that the Dent.					57
	Rehabilitation Centre v.	calculated Medicaid					
	Shah	reimbursement rates				•	
		incorrectly by including					
		contrary to the Kateri			1.4		
	*	court decision,					
		"reserved bed days" in					
		"patient days."					
		Petitioner is also seekin		±1			*
10249	St. Barnabas Nursing		OHSM Reimbursement -	Jacon Mel of Cartinalist	Walter to the second	2 2	
	Home, Inc. v. Shah, et	this "hybrid declaratory	Nursing Home	Wild, P.C.	Zahnleuter, Rick	Pending	10/21/2011
	al.	judgment action and	rang riome	eend, r.c.			
		article 78		\$ U			
		proceding* (1)					
		declaration that			20		***
	9	Respondents'	1 N N N	*			
		determination of					
		petitioner's Medicaid					
		rates have been set					
		incorrectly due to errors					
		in the computation of a					93
10000000	a also made a	hold harmless rate, p					
10238	Jewish Home Lifecare -	Petitioner challenges	OHSM Reimbursement -	Brian T. McGovern of	Cartier, Susan	Dendle	10/21/2011
	Sarah Neuman Center,	the Department's	Nursing Home	Cadwalader.	Cortier, Susan	renung	10/21/2011
	Westchester v. Shah	classification of		Wickersham & Taft LLP			
	and Megna (2)	petitioner as a New		The second secon		127	
	F2100_3885 4008594	York City facility, rather					
	2000	than a Westchester					
		County facility, for					
		purposes of determining					
		its wage equalization	2,4				
		factor, also referred to					
		as the Regional Input					•
		Price Adjustment F					
10236	Bridge View Nursing	Decharatory judgment	OHSM Reimbursement -	Jerome T. Levy. Esa.	Veino, Robert	Danding	10/20/2011
	Home, Inc., et al v	action by 32 downstate	Nursing Home	(Duane Morris, LLP)	venio, Robert	rending	10/20/2011
	Cuomo, Shah	proprietary NHs		(			(a)
		challending their *re-					
		basing" Medicaid rates					
		issued in June, 2011		*		100	*
		and made retro to				10	
		4/1/09. Also, issue of	( 18)				
		\$210M scale-back law.					
10228	Wedgewood Care	Petitioner is seeking a	OHSM Reimbursement -	Mark H. Zafrin, Esq., of	Cartier, Susan	Pendina	10/06/2011
	Center, Inc. d/b/a	judgment directing the	Nursing Home	Michelman & Robinson,	surerer, western	rending	2010012011
	Highfield Gardens Care	Department to process		LLP			
	Center of Great Neck v.						
	Nirav R. Shah, M.D.,	Medicaid rate appeals					
	M.P.H., as	and revise its Medicald					
	Commissioner of Health	reimbursement rate.		4	87		
	of the State of New						
0.00025000446	York	AND DESCRIPTION OF THE PARTY OF					
10208	Ozanam Hall of Queens	Petitioner is challenging	OHSM Reimbursement -	Gurudev D. Allin, Fon	Cartier Susan	Pending	09/01/2011
	Nursing Home, Inc. v.	the Department's denial	Nursing Home	of Ruffo Tabora Mainello		- quanty	-2/01/2011
	Commissioner of Health	to reconsider an appeal		& McKay, P.C.		, RC	
		and seeks an order					
		demanding the					
		Department to provide					
		plaintiff with an					12
		opportunity to be heard					
	10.50	regarding an alleged		Ø'.			
		disputed issue of fact.				1.50	
10180	M. M. Ewing Continuing	Petitioner is seeking an	OHSM Reimbursement -	Hermes Fernandes	Cartier, Susan	Dendina	07/12/2011
	Care Center v. DOH	order directing the	Nursing Home	Esq., of Bond,		· =:musing	7 ++ 05 EVAL
		Department to process	, en combina d <del>e</del> conseguido. Lo	Schoeneck & King, PLLC			
		petitioner's outstanding	1				
		Medicaid rate appeals		*:			
		from between 1984 and	St.				
		2007.	N N 100 C 10 C 10 C 10 C 10 C 10 C 10 C				
10169	Grace Plaza of Great	Petitioner is seeking to	. OHSM Reimbursement -	Neil Murray of O'Connell	Rosenthal Hal	Pending	06/23/2011
	Neck, Inc. v. Shah,	require the recalculation	Nursing Home	& Aronowitz		r wholing	- 4, 100, 2011
	Megna	of the Medicare Part B	-				
		Offset used in		V 22			
		calculating its 1999 .					
		through 2003 Medicald		35			
		reimbursement rate and					
		in particular challenges					
		the correction of a					34
		purported error in the					
				¥			

					¥:)					
			calculation of a 1994 physician							
	10168	Sunshine Children's Home & Rehab Center	Petitioner, a 44 bed for- profit pediatric nursing	, OHSM Reimbursement - Nursing Home	Cornelius D. Murray (O'Connell & Aronowitz)	Veino, Robert	Per	nding (	06/23/2011 -	
			home, challenges the calculation of its new base year (new		( a soliding)					-
			operator) cost based							
	8		Medicaid rates for September 1, 2009 onward.	12 28 100					*	
	10167	Isabella Geriatric	The state of the s	OHSM Reimbursement -	Ruffo, Tabora, Mainello		E rose			
		OMIG, DOB	action in Supreme Court, Albany County seeking to annul an	Nursing Home	& McKay, PC (Gurudev D. Allin, esq)	Veino, Robert	Per	nding (	06/23/2011	
			OMIG audit determination re		*				ia.	
		23	plaintiff's reimbursement for its						133	
S			mortgage interest expense for 2002-05 period.							
	10161	Baird Nursing Home vs	Article 78 proceeding	OHSM Reimbursement -	Harton Cornert B		10 200			
		Shah, Megna [DO8]		Nursing Home	Harter, Secrest & Emery, LLP (Thomas G. Smith, esq)	Veino, Robert	Pei	nding (	06/14/2011	
			rate appeals (2002-09		14	2 8				
			period) filed by petitioner.	.50					•	
	10151	Home, rennell riace,	Pettiioner's are seeking to annul determinations	OHSM Reimbursement - Nursing Home	Tom Smith of Harter Secrest & Emery	Rosenthal, Hal	Pe	nding.	05/23/2011	
		LLC v. Shah, Megna	pertaining to recruitment and		The state of the state of		82	200		
			retention awards for							
	10150	Adirondack Medical	April 1, 2007 onward.	0.10.40				1.		
		Center v. Sheehan, OMIG	Petitioner challenges the Office of the Medicaid Inspector	OHSM Reimbursement - Nursing Home	Richard Frankel of Iseman Cunningham Riester & Hyde	Rosenthal, Hal	Pe	nding I	05/13/2011	
		×	General's authority to audit Patient Review	er fi	A CONTRACTOR OF THE PARTY OF TH					
		a la	Instruments the		•					
			Department was served with notice of the	ż			¥.			
			proceeding, but is not							
	10142	New Sans Souci Nursing	named as a party. Petitioners challenge	OHSM Reimbursement -	Paul Tabora	D				
		Home, LLC, Sans Souci Rehabilitation and	the medical	Nursing Home	Kaus saucea	Rosenthal, Hal	Pe	nding i	04/28/2011	
		Nursing Center as d/b/a	reimbursement rates calculated for a new							
	109	of Westchester Park, LLC v. Commissioner of	nursing home operator .							
		Health of the State of	October 1, 2007,	·			20			
		New York, Director of the Budget of the State	asserting that the Department improperly							
		of New York	utilized patient review		*					
			prior to October 1,							
	10139	Avalon Gardens	2007, in deter Petitioner challenges	OHSM Reimbursement -	David Vaffle	Rosenthal, Hal	0-	n din u	05/06/2011	
		Rehabilitation and Health Care Center LLC	determinations including the calculation	Nursing Home	1	Nusellulai, nai	Pe	nuing		
		v. Shah, Megna	of its cost-based pediatric unit rates, and					* 8		
			the denial of working			4				
			capital interest and capital cost appeals.							
			Petitioner seeks a							
			preliminary injunction enjoining recoupment of Medicaid overpay			*		*		
	10132	Putnam Ridge Nursing	Article 78 S. CT,	OHSM Reimbursement -		Veino, Robert	Pe	nding	04/21/2011	
	22	Home & Rehabilitation Center, et al vs Nirav R. Shah, MD,	Monroe Co., seeking to require DOH + DOB to issue final re-basing	Nursing Home	Emory, LLP (Thomas G. Smith, Esq)	* (1)				
		Commissioner NYS	rates for NHs (per 2808							
		DEPT OF HEALTH and Robert L. Megna, Director NYS Budget	(2-b)(b)) retro to 4/1/09.							
	10115	Concourse	Plaintiff challenges the	OHSM Reimbursement	Marvin Neiman	Rosenthal, Hal	Pe	ndina	03/28/2011	
	•	Rehabilitation & Nursing Center, Inc. v. Nirav R. Shah, M.D., M.P.H.,	January 1, 2008 through March 31, 2009	Nursing Home					14 22 24	
		Robert L. Megna	Medicaid							
			reimbursement rates asserting it has not	100		- 20 T				
			received proper							
	9	11 12	reimubrsement of its real property taxes.		*					
	10109	Kirkhaven Transitional	Article 78 proceeding	OHSM Reimbursement	- Harter, Secrest &	Veino, Robert	Pe	nding	03/23/2011	

		Commissioner of Health	commenced on 3/23/11 on behalf of many (50+) upstate nursing	Nursing Home	Emory, LLP (Thomas G. Smith, Esq.)			
		[BOB]	homes seeking to require DOH + DOB to implement re-basing	Ø ¥	* v			
	10070		rates for NHs retro to 4/1/09 as required by PHL sec 2808(2-b)(b)	• • •				E 32
	10070	and Rehabilitation Center, Inc. v. The	the Medicare Part R	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.	Rosenthal, Hal	Pend	ing 01/03/2011
7		York and the Director of	calculating its 1999- 2007 Medicaid					
		Budget of the State of New York	reimbursement rates.			36		
-	10063	Village Park Health Care Center, et al. v. Daines, Megna	Petitioners are seeking a judgment that the Department's	OHSM Reimbursement - Nursing Home	Thomas G. Smith, Esq., of Harter, Secrest &	Cartier, Susan	Pend	ing 12/14/2010
	ří.		determinations of petitioners' Medicaid rate appeals for rates		Emery LLP			
		20	effective on or after January 1, 1992 be					
	10058	Mercy Hospital Skilled	declared illegal. Petitioner seeks to	Outcut Bartella and a second				- 12
		Nursing Facility v Richard F. Daines, M.D., Robert L. Megna	require the processing of a capital cost rate appeal submitted on October 8, 2008.	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery, LLP	Rosenthal, Hal	Pend	ing 12/08/2010
	10055	Bronx-Lebanon Hospital Center v. Richard F.	Petitioner challenges the denial of a rate appeal by which petitioner sought a	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose	Cartier, Susan	Pend	ing 11/19/2010
			revision of its 2008/2009 Medicaid reimbursement rates for inpatient medically managed detoxification		Proskauer Rose	* !		
	10049	Nassau University Medical Center v. Richard F. Daines, New York State Department of Health	care. Petitioner challenges the denial of a rate appeal by which petitioner sought a revision of its 2008/2009 Medicaid reimbursement rates for	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose	Cartier, Susan	Pend	ing 11/16/2010
			inpatient medically managed detoxification care.			25	50	
200	10048	Sound Shore Medical Center v. Richard F. Daines, New York State Department of Health	Petitioner challenges the denial of a rate appeal by which petitioner sought a revision of its	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose	Cartier, Susan	Pend	ling 11/16/2010
		* 3	2008/2009 Medicaid reimbursement rates for inpatient medically managed detoxification care.					120 12
	10037	Richmond Medical Center v. Richard F. Daines, New York State Department of Health	Petitioner challenges the denial of a rate appeal by which petitioner sought a	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose	Cartier, Susan	Pend	fing 11/08/2010
		A	revision of its 2008 Medicaid reimbursement rates for inpatient medically		**			4
			managed detoxification care.	2		e		
9	10036	Meadow Park Rehabilitation & Health Care Center, LLC, and New Surfside Nursing	Petitioners are seeking to require the Department to revise their Medicald	OHSM Reimbursement - Nursing Home	Hamburger, Mayson Yaffee Knauer & McNally	Rosenthal, Hal	Penc	ding 10/26/2010
			reimbursement rates to		8			e e
	10027	The Dewitt Nursing and Rehabilitiation Center V Richard F. Daines MD Commissioner NYS DOH and James G. Sheehan as Inspector General of	This is an action for declaratory judgment and injuctive relief under the PHL. Issue pertains to OMIG PRI	OHSM Reimbursement Nursing Home	- Harvey Weinberg	Veino, Robert	Pend	ding 10/27/2010
	6	OMIG	2					

	10007	New Surfside Nurisng Home, LLC, Meadow Park Rehabilitation and Health Care Center, LLC v, State	Claimants allege the Department failed to properly reimburse them for residents in	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, Knaures & McNally, LLP	Bierman, Joseph	Pending 09/09/2010
		*, state	claimants' neurobiological program				
	10005	Day hours N	and seek damages for fraudulent inducement, and breach of express and implied contracts and unjust enrichment.				
	10003	Bayberry Nursing Horne, et al vs. Daines + Megna [DOB]	Declaratory judgement action by 13 NHs re Medicaid nursing home rates for 2008 and 2009 period. Issues include	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP (Jeffrey Bernfeld, Esq.)	Veino, Robert	Pending 09/13/2010
1			reserve bed days, 60 day notice of rates,			6 8	
		5.50	\$210 M scaleback law				Si
			and trend factor elimination.		** g = 0		
	1.0		CHAINIBEIOIL -				*
		8	(Same plaintiff's attorney + about the				
	10004	Three Rivers Health	same N	520.10			*
	20007	Care Center, Inc., Arbor Park Health Care Center, and Park Shore	to challege DOH denial of certain rate anneals	OHSM Reimbursement - Norsing Home	Harter, Secrest & Emory, LLP (Thomas G. Smith, Esq.)	Veino, Robert	Pending 09/13/2010
	*	Health Care Center, Inc. vs Richard F. Daines,	re to Part B offset + admin cap				*
		MD, Commissioner NYS DOH & Robert L. Megna	31				177
		as Director of the	-1				
	2020 12	Budget of the State of. NY					
	9769	Nassau Health Care Corporation v. NYSDOH,	Petitioner seeks to annul rate revisions to	OHSM Reimbursement - Nursing Home	Jeffrey Thorpe of Foley & Lordner, LLP	Rosenthal, Hal	Pending 08/02/2010
		Daines	A. Holly Paterson Nursing Home's 1996- 2002 Medicaid	and the same	a coroner, CD		
	0766		reimbursement rates.				54
	9766	North Sea Associates, LLC d/b/a The Hamptons Center for Rehabilitation & Nursing	Petitioner seeks to require the processing of a rate appeal for cost based rates.	OHSM Reimbursement - Nursing Home	Hamburger Maxson Yaffe Knauer & McNally, LLP	Rosenthal, Hal	Pending 07/26/2010
		v. Richard F. Daines, et al.				19	
	9751	Sprain Brook Manor Nursing Home LLC v. New York State	Petitioner seeks to require the Department to allow it to file reports	OHSM Reimbursement - Nursing Home	Garfunkel Wild	Rosenthal, Hal	Pending 06/22/2010
		Department of Health, et al.	regarding, its cash receipts assessment				1 N
			liabilities after those amounts have been	M.	T. C.		
			billed for recoupment and to-refund alleged				
			our recoupment of Medicaid payments.		(4)		. 20 25
	9743	Concourse Rehabilitation & Nursing	Plaintiff is seeking to	OHSM Reimbursement - Nursing Home	Marvin Neiman	Rosenthal, Hal	Pending 06/17/2010
		Center, Inc. v. Daines, Sheehan	2005 and 2006 Patient Review Instruments	•			
9		10	being conducted bythe Office of the Medicaid		•		Ü
	9733	Willoughby	Inspector General.		WANTED HERRING TO SE	-2	
	3,33	Rehabilitation and Health Care Center, LLC d/b/a Spring Creek	appeals and its patient	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, Knauer & McNally, LLP	Rosenthal, Hal	Pending 06/11/2010
117		Rehabilitation Nursing Care Center v. Daines.	minimum data set submissions and to				
20	10	Megna	enjoin recoupment of	20			
			Medicaid overpayments pending the		S	W 12	
		•	determination of the			1	
200	9729	Chapin Home for the Aging v. Daines, Director of the Budget	rate appeals.  Challenge to Medicaid reimbursement rates in effect from April 1, 2009 through March 31,	OHSM Reimbursement - Nursing Home	Ruffo, Tabora, Mainello & McKay, P.C.	Bierman, Joseph	Pending 05/27/2010
		*	2010. Issues raised are				
			application of the scaleback and Medicaid	*			
		92	only case mix	35 C W			(5)
100	9728	St. Mary's Center, Inc.	adjustments Challenge to Medicaid	OHEM Delah	A. F. T.	Lance and the second	
		v. Daines, Director of the Budget	reimbursement rates in effect from April 1,	Nursing Home	Ruffo Tabora Mainello & McKay, P.C.	Bierman, Joseph	Pending 05/27/2010

		. a	2009, through March 31, 2010. Issues raised are applicating of the scaleback and Medicaid				
		*	only case mix			si .	
	9726	Schervier Nursing Care Center and 5 others v.	adjustments Challenge to Medicaid	OHSM Reimbursement -	Ruffo Tabora Mainello &	Biorman Jassah	<b>.</b>
		Daines, Director of the Budget	reimbursement rates issued for April 1, 2009, through March 31,	Nursing Home	McKay, P.C.	Sierman, Joseph	Pending 05/24/2010
**		an g	2010. Issues raised are the application of the	V			
		94	scaleback adjustment and the Medicaid mix				
	9723	Father Baker Manor and	case adjustment. Challenge to Medicald	OUCM DOMESTIC	r 1989 garagan kalangan		
		30 others v. Daines, Megna	reimbursement rates effective April 1, 2009. Issues raised are	Nursing Home	Harter Secrest & Emery, LLP	Cartier, Susan	Pending 05/20/2010
			scaleback adjustment, Medicaid only case mix adjustment and		¥		
		81	computation of the WEF.	21 1			
	9722	Hawthorn Health Multicare Center for	Challenge to Medicaid	OHSM Reimbursement -	Harter Secrest & Emery,	Cartier Sucan	Panding Of Commun.
		Living and 8 others v. Daines, Megna	reimbursement rates effective April 1, 2009. Issues raised are	Nursing Home	LLP	Corner, Susan	Pending 05/20/2010
			scaleback adjustment Medicaid only case mix adjustment and			8:	
			computation of the WEF, and individual nursing home computation errors.				
	9721	Avon Nursing Home, LLC, and 29 others v. Daines, Megna	Challenge to Medicaid reimbursement rates effective April 1, 2009.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP	Blerman, Joseph	Pending 05/21/2010
			Issues raised are scale back adjustment, Medicaid only case mix adjustment, and computation of the	*	(6		
	9720	Jamaica Hospital	WEF. Petitioner challenges	ONCH PARTIE			•
			various aspects of the calculation of its 2009 and 2010 Medicaid	OHSM Reimbursement - Nursing Home	Foley & Lardner	Rosenthal, Hal	Pending 05/21/2010
	9719	Schulman and Schachne Institute for Nursing and	Petitioner challenges various appeals of the calculation of its 2009	OHSM Reimbursement - Nursing Home	Foley & Lardner	Rosenthal, Hal	Pending 05/21/2010
		Rehabilitation v. NYSDOH, Daines	and 2010 Medicaid reimbursements				
	9718	Nassau Healthcare Corp. v. New York State Department of Health, Daines	Petitioner challenges various aspects of the calculation of its 2009 and 2010 Medicald rate.	OHSM Reimbursement - Nursing Home	Foley & Lardner	Rosenthal, Hal	Pending 05/21/2010
٠	9716	_ F.M	Petitioners, Greater New York Facilities	OHSM Reimbursement - Nursing Home	Thoms Cone	Rosenthal, Hal	Pending 05/19/2010
		Daines, et al.	Association and its members, assert that their 2010 Medicaid				
			reimbursement rates violate 42 USC 1396a (a)(30)'s standard that		,		
			rates be consistent with efficiency, economy and quality of care and are				
	9715	Bronx-Lebanon Highbridge Woodycrest	Sufficient to re Art 78 proceeding in	OHSM Reimbursement -	Garfunken, Wild &	Veino, Robert	Pending 05/17/2010
		Center v. Daines, NYSDOH	which petitioner seeks to annul April 1, 2009, May 1, 2009, and	Nursing Home	Travis, P.C. (Jason Hsi, esq)		-
	27		January 1, 2010 Medicaid			2	*
			reimbursement rates on several grounds. Issues center on "re-basing				
			rates" computed per PHL 2808(2-b)(b). Also reserved bed days	820			
		*	*Amended Petition		(4.)	9	
	9714	Bronx-Lebanon Special Care Center v. Daines, NYSDOH	served 10/21/11 Article 78 proceeding challenging Medicaid rates noticed for April 1,	OHSM Reimbursement « Nursing Home	Garfunkel, Wild & Travis, P.C. (Jason Hsi, esq)	Veino, Robert	Pending 05/17/2010
			2009, May 1, 2009 and				

,			1941 13 14					
			January 1, 2010 on several grounds. Amended Petition					
		4	served 10/21/11, challenging final		e: 0			
			rebasing rates issued 6/11 on various		S			
			grounds. Also reserved bed days issue.					
	9708	Services LLC d/b/a Capital Living &	Petitioners challenge April 1, 2009 through March 31, 2010 rates	OHSM Reimbursement - Nursing Hame	O'Connell & Aronowitz	Bierman, Joseph	Pending	05/11/2010
			on various grounds. They also seek to					*
			compel revisions to their 2008 Medicaid					4
			rates to reflect actual gross receipts payments.		,			
	9705	Huntington Living Center v. Richard F.	Petitioner challenges	OHSM Reimbursement -	Harter Secrest & Emery	Rosenthal, Hal	Panding	04/28/2010
		Daines, et al.	the calculation of its rate for 2007 onward asserting the rates were	Nursing Home	LLP	,	· residing	04/20/2010
			not properly calculated in accordance with the				15	
	85		"hold harmelss" provisions of Public					
	*		Health Law Section 2808(2-b)(5)(ii).					
	9703	New Surfside Nurisng Home, LLC and Meadow	Petitioners seek to annul Medicaid rate	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, Knauer &	Bierman, Joseph	Pending	04/26/2010
		Park Rehabilitation Care Center, LLC v. Daines	revisions which implement case mix		McNally, LLP			
			adjustments based upon audits of					
			petitioners' patient review instruments.			3 8		
	9679	Bezalel Nursing Home Company, et al. v.	Plaintiffs seek a	OHSM Reimbursement -	Tenzer & Lunin	Rosenthal, Hal	Pending	03/10/2010
		Richard F. Daines	rebased Medicaid rembursement rates	Nursing Home				
			issued by the Dept. on January 13, 2010, are			9		•
			invalid for various reasons and that rates				*	
			in effect on March 31, 2009, shall continue in effect until new rates are properly prolmulg					
	9660	Adirondack Medical Center - Uihlein, et al.	Petitioners, 25 nursing homes, seek to annul	OHSM Reimbursement - Nursing Home	Ruffo, Tabora, Mainello & McKay, P.C.	Rosenthal, Hal	Pending	01/27/2010
		v. Richard F. Daines, M.D.	their 2009 Medicaid reimbursement rates and require	F)				
			recalcualtion of the rates without inclusion					
			of the administrative and fiscal services cost	40			*	
			cap and the rate reduction to encourage improved efficiency and					
	9646	Concourse	pr Plaintiff challenges the	OHSM Reimbursement -	Marvin Noiman	Rosenthal, Hal	S	12/24/2200
		Rehabilitation and Nursing Center, Inc. v.	calculation of its recruitment retention	Nursing Home	THE PROPERTY OF	Rusentilai, risi	Pending	12/21/2009
		Richard F. Daines, M.D., Robert L. Megna	onward.				92	
	9593	The Brightonian Nursing Home, et al. v. Daines, Paterson	Petitioners/Plaintiffs are seeking to enjoin provisions of Public	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP	Rosenthal, Hall	Pending	09/18/2009
			Health Law Section 2805(5)(c) which		94	*		
			requires homes to obtain prior written	10	. "			
	2		approvals of the	*				
			Commissioner of Health for withdrawai of equity or assets from the		# #			
	9588	Matter of Benedictine Hospital, as receiver of Hutton Nursing Home	nursing home. Final Accounting for receivership	OHSM Reimbursement · Nursing Home	- Daniels & Porco, LLP	Rosenthal, Hal	Pending	08/25/2009
	9574	Bayberry Nursing Home		OHSM Reimbursement		Rosenthal, Hal	Pendino	08/05/2009
		v. Daines, Anglin & 13 other actions	but identical actions, week to declare unlawful the retroactive	Nursing Home	Bernfeld, LLP		200 AV 100 AV 100 AV	
			revision of their 2009 Medicaid reimbursement rates	*				20
			Caron account (dies)					

			· ·	¥.				
			and the use of reserved bed days in the rate calculation.				8	
	9560	Founders Pavilion, Inc. v. Commissioner of Health of the State of New York	Petitioner is seeking a judgment directing the Department to recalculate and revise	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.	Cartier, Susan	Pending 07/08/2009	
			petitioner's Medicaid rates to reflect					
	9548	Providence Rest, Inc. v.	depreciation utilizing a 23-year useful life.			25		
		Commissioner of Health, Director of the Budget (2)	Petitioner is challenging the Department's . calculation of Medicaid reimbursement rates	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.	Cartier, Susan	Pending 06/03/2009	
			related to approved project costs for a			6	* -	
			construction project and seeks a declaration that the Department process plaintiff's pending rate					
	9547	Baptist Health Nursing	appeals. Petitioner is seeking a	OHEM Polymbras				
	J.	and Rehabilitation Center, Inc. v. Daines, Budget (3)	judgment directing the Department to recalculate and revise petitioner's Medicaid	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.	Cartier, Susan	Pending 06/12/2009	
			rates to reflect depreciation utilizing a 23-year useful life.	i i i				
	9546	Center, Inc. v. Daines,	Petitioner is seeking a judgment directing the Department to process	OHSM Reimbursement - Nursing Home	David A. Ruffo, Esq., of Ruffo Tabora Mainello & McKay, P.C.	Cartier, Susan	Pending 06/10/2009	
		Budget (2)	petitioner's Medicaid rate appeals for rates effective January 1999	*	The same	# El		
	9543	New York Association of	to present. Action on behalf of	OHSM Reimbursement -	Carlwalader	Bloomer News		
		Homes and Services for the Aging, Inc. v. Daines, Angliin, Patterson	NYAHSA members to challenge statutory amendments enacted	Nursing Home	Wickersham & Taft, LLP	Bierman, Joseph	Pending 06/05/2009	
	•	ratterson	by chapter 2 & 58 of the laws of 2009 which delayed rebasing of			7	*	
			nursing home rates, reduced the trend factor adjustment applicable					
			to 6/1/08-12/31/08 rates and to 2009 rates and					
	9542	Our Lady of Peace Nursing Care Residence, et al. v. Daines, Anglin,	the nursing home	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz	Bierman, Joseph	Pending 06/04/2009	
		Patterson	methodology enacted by chapters 2 & 58 of the laws of 2009					
			delaying rebasing, reducing the trend factor, and capping the					
	9539	_	impact	OHEM Roimb		AND ADDRESS OF THE PARTY OF THE	•	
8		Commissioner of Health, Director of the Budget (2)	the Department's calculation of Medicaid reimbursemente rates related to approved	Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.	Cartier, Susan	Pending 06/03/2009	
			project costs for a construction project and					
			seeks a declaration that the Department process plaintiff's pending rate					
	9538	Soldiers & Sailors Memorial Hospital d/b/a	appeals. 21 nursing homes challenge statutory amendments	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery, LLP	Bierman, Joseph	Pending 06/03/2009	
		v. Daines, Anglin,	promulgated by chapters 2 & 58 of the					
· K			laws of 2009 which delayed the rebasing of nursing home rates and					
			reduced a trended factor adjustment applicable to 4/1/08-					
			12/31/08 rates and to 2009 rates, and capped	g / =				
	9521	Center, Inc. v. The	Petitioner is seeking a judgment directing the Department to process	OHSM Reimbursement - Nursing Home	David A. Ruffo, Esq., of Ruffo, Tabora, Mainello	Cartier, Susan	Pending 05/13/2009	

Center, Inc. v. Richard F. Daines, M.D., Laura L. Anglin Orabout December 26, 30 and 31, 2008, and seeks an order that relimbursement of its real estate taxes be recalculated. Petitioner seeks to annul the Part D Offset nethodology utilized in calculating its January 1, 2006 through July 31, 2007 Medicaid relimbursement artes. Plaintiff challenges its Nursing & Rehabilitation of its remaining the wage equalization of its 2008 Medicaid relimbursement and working capital interest expense. Plaintiff challenges the Calculation of its 2008 Medicaid relimbursement - Nursing Home  Possenthal Nursing & Rehabilitation & Nursing & Rosenthal Working Capital interest expense.  Plaintiff challenges the Calculation of its 2008 Medicaid relimbursement rates for ventiliator patients.  OHSM Reimbursement - Marvin Neiman Rosenthal Nursing Home  OHSM Reimbursement - Proskauer Rose LLP Rosenthal Nursing Home  OHSM Reimbursement - Proskauer Rose LLP Rosenthal Nursing Home  OHSM Reimbursement - Proskauer Rose LLP Rosenthal Nursing Home  OHSM Reimbursement - Proskauer Rose LLP Rosenthal Reimbursement - Rosenthal Reimbur							*
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L Anglin  4979 United Home for Aged Hebrews, dryby United Home Working Home Working Home Working Home Working Home Working Home for the Aged v. Richard F. Daines, M.D., pitting Home for the Aged v. Richard F. Daines, M.D., pitting Home working Home for the Aged v. Richard F. Daines, M.D., pitting Home working Home for the Aged v. Richard F. Daines, et al.  9484 Greater New York Health Care Facilities Association, et al. Daines, et al.  9485 Association, et al. Patting Home Petitioners, Greater New York Facilities Association, et al. Association and its members, assert that there 2009 Medicaid relimbursement rates violate 42 USC 1396 a (a) (30)'s standard that rates be consistent with efficiency, economy and quality of cire and are sufficient to response for Medicaid relimbursement trates that it is a hospital based nursing home for Medicaid relimbursement for its of Health, Director of the Budget Plantiff challenges its Facility v. Commissioner of Health  9460 Weeley Health Care Center v. Richard F. Commissioner of Health  9460 Weeley Health Care Center v. Richard F. Commissioner of Health  9461 Incarnation Children's Center v. Richard F. Daines  9462 Medicaid relimbursement rates for 2004 through 2007 to adjust the relimbursement trates for 2004 through 2007 to adjust the relimbursement trates for 2004 through 2007 to adjust the relimbursement trates for 2004 through 2007 to adjust the relimbursement trates for 2004 through 2007 to adjust the relimbursement rates for 2004 through 2007 to adjust the relimbursement rates for 2004 through 2007 to adjust the relimbursement rates for 2004 through 2007 to adjust the relimbursement rates for 2004 through 2007 to adjust the relimbursement rates for 2004 and 2008 through 2007 and 2008 thr		Center, Inc. v. Richard	and 2009 Medicaid	reducing name			
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9451 Incarnation Children's Center v. Richard F. Daines  Petitioner seeks to require the revision of its Medicaid reimbursement rates to reflect what its terms are appropriate cost allocations and to eliminate the administrative and fiscal services cost limitation adjustment from its 2007 and 2008 Medicaid rate  9449  Aurora Park Health Care Eleven nursing homes  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC  OHSM Reimbursement - Ruffo Tabora Mainello & Rosentha McKay PC					12		-
Center v. Richard F. Daines  require the revision of its Medicaid reimbursement rates to reflect what its terms are appropriate cost allocations and to eliminate the administrative and fiscal services cost limitation adjustment from its 2007 and 2008 Medicaid rate  9449  Aurora Park Health Care Eleven nursing homes  OHSM Reimbursement - Harter Secrect France Richards	9451	Incarnation Children's		Ought 6-1-1	and the second		
Daines its Medicaid reimbursement rates to reflect what its terms are appropriate cost allocations and to eliminate the administrative and fiscal services cost limitation adjustment from its 2007 and 2008 Medicaid rate  9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Empry Richards				Nursing Home	Ruffo Tabora Mainello &	Rosenthal, Hal	Pending 01/23/2009
reflect what its terms are appropriate cost allocations and to eliminate the administrative and fiscal services cost limitation adjustment from its 2007 and 2008 Medicaid rate  9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Empry Richards		Daines	its Medicaid	riorating riching	rickay rc		Sant: 10
are appropriate cost allocations and to eliminate the administrative and fiscal services cost limitation adjustment from its 2007 and 2008 Medicaid rate  9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Empry Richards							
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services cost limitation adjustment from its 2007 and 2008 Medicaid rate  9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Emply Richards			eliminate the				
adjustment from its 2007 and 2008 Medicaid rate  9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Emply Biomaca							
2007 and 2008  Medicaid rate  9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Emply Biomese							
9449 Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter Secreet Spans Biography		306	2007 and 2008				50
Aurora Park Health Care Eleven nursing homes OHSM Reimbursement - Harter, Secrest, Emery Bierman, Center, Inc., d/b/a seek an order requiring Nursing Home LLP	0440		Medicaid rate	y			76
Seek an order requiring Nursing Home LLP	9449	Aurora Park Health Care	Eleven nursing homes	OHSM Reimbursement -	Harter, Secrest, Emery	Bierman, Joseph	Pending 01/20/2009
		Center, the., 0/8/8	seek an order requiring	Nursing Home	LLP	್ರಿಸ್ ಸ್ಟ್ರಾಪ್ ಸ್ಟ್ರ	3 44/ 54/ 54/3

		Water is a						
		Waters of Aurora Park, et al.	the Department to					
		oco.	process their		E 200			•
			outstanding Medicaid rate appeals	, ,			13	
	9400	Concourse	Plaintiff challenges the	Ouga n./				
		Rehabilitation and	calculation of its	OHSM Reimbursement - Nursing Home	Marvin Neiman	Rosenthal, Hal		Pending 10/20/2008
		Nursing Center, Inc. v.	recruitment retention	rising rivine				2 20,20,2000
		Richard F. Daines, M.D., Laura Anglin	funds for 7/1/07		N.			
	9391	Valley Health Services,	onward.					
	NURSE STATE OF A	Inc., v. Commissioner	reddoner challenges its	OHSM Reimbursement -	Ruffo Tabora Mainello &	Cartier Sugar		Danding of the many
		of Health, Director of	reimbursement rates	Nursing Home	McKay, P.C.	worker, Subdit		Pending 10/22/2008
		the Budget	from August 1, 2006 to					
			date on the grounds				-7	
			that the incorrect PRIs				100	
	9386	Isabella Geriatric	were used.					
	3300	Center, Inc. v.	Petitioner is seeking to	OHSM Reimbursement -	Amanda Figgs Ganter.	Cartier, Susan		Donatine Dollar mone
			annul the Department's denial of petitioner's	Nursing Home	Esq., of Ruffo Tahora	- June 1		Pending 09/19/2008
		of the State of New	Medicaid rate appeals.		Mainello & McKay, P.C.			* **
		York and Director of the				20 Feb.		
		Budget fo the State of New York			1			
	9379		•	50 B				10
	2372	Pinegrove Manor II v. Daines	Petitioner is seeking to require the revision of	OHSM Reimbursement -	Abrams, Fensterman, et	Rosenthal Hal		Donding Office (2000
		300/22	its July 1, 2007 through	Nursing Home	al.	industrial, rich		Pending 09/10/2008
		040	march 31, 2008		9			
			Medicaid		0 800			2
			reimbursement rates to					
	10		include recruitment and retention funds.					
			Petitioner has similar	*				
			litigation for earlier			*		100
	12020	TG 1898	years.					
	9360	Providence Rest, Inc. v.	Plaintiff is challenging	OHSM Reimbursement -	Raul A. Tabora, Esq., of	C-111 C		
		Commissioner of	the Department's	Nursing Home	Ruffo Tabora Mainello &	Cartier, Susan		Pending 07/31/2008
Ä		Health, Director of the Budget	calculation of payment	T-Access 100	McKay, PC			
		Dunger	rates for Adult Day Helath Care for the					
		¥	period April 1, 2007	***				
			through December 31,					
			2007 and seeks a					
		95 E	declaration that the					
			Department process					
	9335	Methodist Church Home	plaintiff's rate appeals. Plaintiff challenges the	OUCH D.	- 14 A			,
		for the Aged v. Daines	calculation of its 2008	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.	Rosenthal, Hal		Pending 07/02/2008
		4.10	Medicaid rates. Issues	The Sing Count	X.		85	
			raised include, stale					
		S K	data, adjustment to			Tyr a		£2
			encourage efficiency and economy, 97/98					
		9	trend factor, reserved					
			bed days, PRI audits.					
			cash receipts		ži.	8		
			assessment,					
			reimbursement for HCRA mandat					*
	9334 .	New Sans Souci Mursing	Plaintiff challenges the	OUCM Dains				
		Home v. Daines	calculation of its 2008	OHSM Reimbursement - Nursing Home	David Sernfeld, Esq.	Rosenthal, Hal		Pending 07/02/2008
			Medicaid rates. Issues	morning rionite				
			raised include stale					(**
			data, adjustment to					
			encourage efficiency and economy, 97/98	100				
			trend factor, reserved					
			bed days, PRI audits,	*				6
		100	cash receipts					
			assessment,		6	1.0		
			reimbursement of HCRA mandates					
	9333	Elant at Newburgh, Inc.	Plaintiff challenges the	OUCH Delete	2 10 100 000 000 000 000 000 000			
		v. Daines	calculation of its 2008	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.	Rosenthal, Hal		Pending 07/02/2008
			Medicald rates. Issues	Horaning Horne				
			raised include stale					Pe
			data, adjustment to	2				
			encourage efficiency and economy, 97/98					
			trend factor, reserved					
		14	bed days, PRI audits,					
			cash receipts					
			assessment,					
			reimbursement of HCRA	, - II				
	9332	Flant at Coches Tes	mandates					
	2236	Elant at Goshen, Inc. v. Daines	Plaintiff challenges the calculation of its 2008	OHSM Reimbursement -	David Bernfeld, Esq	Rosenthal, Hal		Pending 07/02/2008
		and the same of th	Medicaid rates. Issues	Nursing Home				5 7 7 2000
		Here: ( )	raised include stale					3
		F. 2	data, adjustment to					

			encourage efficiency and economy, 97/98				*
			trend factor, reserved bed days, PRI audits,			un Ö	
			cash receipts assessment,			¥	
	0704		reimbursement of HCRA mandates			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
	9331	Glen Arden, Inc. v. Daines	Challenge to 2008 rates, issues include; stale base year data,	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.	Rosenthal, Hal	Pending 07/02/2008
			productivity & efficiency reduction, PRI policy, administrator and		186		
			operator salary ceiling, 97/98 trend factor,	la:			
			reserved bed days, RIPAF calculations, A&F				
	9330	Vincent 1	Cap as HCRA expenditures				
	2330	King Street Home, Inc. v. Daines	Medicaid rates. Issues	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.	Rosenthal, Hal	Pending 07/02/2008
			raised include stale data, adjustment to	49			
		659	encourage efficiency and economy, 97/98		*: 100		
	9		trend fctor, reserved bed days, PRI audits,				
			cash receipts assessment, reimbursement of HCRA	8 8			20
	9329	Bayberry Nursing Home	mandates.		Constant Constant		
		v. Daines, Francis		OHSM Reimbursement - Nursing Home	Bernfeld, LLP	Bierman, Joseph	Pending 07/02/2008
			base, reduction for efficiency, elimination of 97/98 trend factor,			9	
			reserved bed days, PRI policy, RIPAF			g: 2	
			calculation, recalibration, A&F cap,				*
	9328	Cedar Manor, Inc. v.	indirect ceiling calculation			***	
	3320	Daines, Francis	Challenge to 2008 Medicaid rates; issues raised are inadequacy,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP	Bierman, Joseph	Pending 07/02/2008
			use of 1983 base, reduction for	*	70	*	
			productivity, elimination of 97/98 trend factor;	30			
		. 20	reserved bed days, PRI policy, RIPAF calculation, indirect		7.0	η.	
			component calculation, return on investment	til gr	*		
	9327	German Masonic Home	and eq Challenge to 2008	OHSM Reimbursement -	Bernfeld, DeMattee &	Bierman, Joseph	Dan dia - 07 (07 (700)
3		Corporation, d/b/a Dumont Masonic Home v. Daines, Francis	Medicaid rates; issues raised are inadequacy, reduction for	Nursing Home	Bernfeld, LLP	Del man, Xoseph	Pending 07/02/2008
			productivity, elimination of 97/98 trend factor, reserved bed days, PRI				<b>€</b> €0
			policy, RIPAF calculation, A&F Cap,				
			indirect component calculation, ceilings on				•
	9326	Elant at Brandywine,	direct and indirect costs Challenge to 2008	OHSM Reimbursement -			
		Inc. v. Daines, Francis	Medicald rates: issues raised are inadequacy,	Nursing Home	Bernfeld, LLP	Bierman, Joseph	Pending 07/02/2008
		16	use of 1983 base year, reduction for productivity, elimination			2 7 1 7 1	(A) (3)
	67		of 97/98 trend factor; reserved bed days, PRI				
Q.	25		policy; RIPAF calculation;	*			
			recalibration; return on investment and equity; base p			N= 1	
	9325	Northwoods at Hilltop	Challenge to 2008 Medicaid rates; issues raised are inadequacy,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP	Bierman, Joseph	Pending 07/02/2008
			continued use of 1983 base year costs,				4
			18				

					¥ 8	
		productivity and				
		efficiency, reduction,				
		elimination of 1997/98				*
		trend factor, reserved bed days, PRI policy,				
		RIPAF calculation.				19
10000000		administrative and fiscal				
9324		Challenge to 2008	OHSM Reimbursement -	Bernfeld, DeMatteo &	Bierman, Joseph	Panding 07/02/2008
		Medicaid rates; issues	Nursing Hame	Bernfeld, LLP	эксинан, жэери	Pending 07/02/2008
		raised are inadequacy, continued use of 1983				11 531
		base year costs.				
		productivity and				
		effiency reduction,				
		elimination of 1997/98	18			
		trend factor, reserved bed days, PRI policy,				
		RIPAF calculation.	. (#			
		administrative and fiscal.				
0000		ca				
9323	Northwoods at	Challenge to 2008	OHSM Reimbursement -	Bernfeld, DeMatteo &	Bierman, Joseph	Pending 07/02/2008
	Rosewood Gardens	Medicaid rates; issued	Nursing Home	Bernfeld, LLP		
		raised are inadequacy, continued use of 1983				
		base year costs,				
		productivity and				No.
		efficiency reduction,			*	
		elimination of 1997/98				
		trend factor, reserved bed days, PRI policy.	A			
		RIPAF calculation,			30 g	
		administrative and fiscal		-5	5.	
9322	Northwoods at Cortland		OHSM Reimbursement -	Bernfeld, DeMatteo &	Bierman, Joseph	Pending 07/02/2008
	v. Daines, Francis	Medicaid rates; issued	Nursing Home	Bernfeld, LLP		
	*	raised are inadequacy, continued use of 1983				
	8	base year costs,				
		productivity and				
		efficiency reduction,			100	
	*6	elimination of 1997/98 trend factor, reserved				
	) i j	bed days, PRI policy,				
		RIPAF calculation,				
122 (150)	PERSONAL PROPERTY.	administrative and fiscal				*
9314	Cabrini of Westchester	Petitioner us seeking to	OHSM Reimbursement -	Calwalder Wickersham	Rosenthal, Hal	Pending 07/01/2008
	d/b/a St. Cabrini Nursing Home v.	require the Department	Nursing Home	& Taft		4
	Richard F. Daines,	to calculate its Medicaid reimbursement rates as			400	
	Laura F. Anglin	if it were a hospital			*.	
		based nursing home			- 8	
		notwithstanding that				
		Cabrini Medical Center				
9310	Isabella Geriatric	has closed. Plaintiff challenges	OUCM Dalahimanan	Doub Tabana		
,,,,	Center, Inc. v. Richard	various aspects of the	OHSM Reimbursement - Nursing Home	Kaul labora	Rosenthal, Hal	Pending 06/19/2008
	F. Daines, Laura L.	calculation of its			a 18	
	Anglin	rebased ventilation unit				
9302	Combone M. Strain	rates.		SRR		
9302	Carthage Nursing and Rehabilitation Center,	Petitioner is seeking a judgment annulling the	OHSM Reimbursement -		Cartier, Susan	Pending 06/11/2008
	LLC d/b/a Country	Department's	Nursing name	Esq., of O'Connell & Aronowitz	2.12	
	Manor Nursing and	determination denying		, a showing		
	Rehabilitation Centre v.					
	Daines, M.D.	rate appeals related to the calculation of the				
		return on equity				ş
		allegedly due to				
		petitioner and directing				
	2	the Department to	10			
		process petitioner's rate			5 18	
9244	Greater New York	Petitioners, Greater	OUCH Dalmburganest	Allena Wash		- 4-4-
24.44	Health Care Facilities	New York Facilities	OHSM Reimbursement Nursing Home	- Allison Kochman	Rosenthal, Hal	Pending 02/27/2008
	Association, et al. v.	Association and its	ridising Home			
	Daines, et al.	members, assert that	389			
		their 2008 Medicaid	2			C.
		reimbursement rates				
		violate 42 USC 1396a (a)(30)'s standard that				
		rates be consistent with			a 1 _ 1 _ 1	
		efficiency, economy and				65
		quality of care and are	35			
0100	Concourant	sufficient to re	OUCH P. L.			200 10 000 00 000 000 000 00 00 00 00 00
9199	Concourse' Rehabilitation & Nursing	Plaintiff seeks the g paymentof recruitment	OHSM Reimbursement Nursing Home	- marvin Neiman	Rosenthal, Hal	Pending 11/10/2006
	Center, Inc. v. Novello	and retention funds	reasing name		3	
	W. The state of th	from Decmeber 2002			3	
		onward				10
9165	Presbyterian Home for	Seeking a judgment for	OHSM Reimbursement	<ul> <li>Amanda I. FiggsGanter</li> </ul>	, Cartier, Susan	Pending 10/15/2007

		v. Richard F. Daines,	DOH to process rate appeals w/o delay; Medicare Part B	Nursing Home	Esq., of Ruffo, Tabora, Mainello & McKay		7 2		
		of Health of the State of New York and Director of the Budget of the State of New York	reducite raft D	10					
	9152								
	3127	dy by a Geer Nursing and	Medicaid	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz	Bierman, Joseph	Pendi	ng 09/26/2007	
	- 12	Daines	reimbursement rates established by the						
			Department for rate periods commencing		133				
			January 1, 2002 through December 31, 2006.	3.00			3.		
	9149	Baptist Health Nursing and Rehabilitation	Petitioner is seeking a	OHSM Reimbursement -		Cartier, Susan	Pendi	ng 08/31/2007	
			Department to recalculate and revise	Nursing Home	Esq., of Ruffo Tabora Mainello & McKay, P.C.				
			petitioner's Medicaid rates to reflect						
			depreciation utilizing a 23-year useful life		4. 4. 2.			,	
	9148	Isabella Geriatric Center, Inc. v.	Petitioner is seeking a judgment directing the	OHSM Reimbursement - Nursing Home	Amanda Figgs Ganter, Esq., of Ruffo Tabora	Cartier, Susan	Pendi	ng 08/31/2007	
		or the State of New	Department to process petitioner?s rate		Mainello & McKay, P.C.				
		York and Director of the Budget of the State of New York	also brings up capital				8.		
	9139	Concourse	costs issue Plaintiff challenges an	OHSM Reimbursement -	Marvin Neiman	Rosenthal, Hal	Donati	- 00/03/2002	
		Rehabilitation and Nursing Center, Inc. v. Richard F. Daines, M.D., Paul E. Francis	April 30, 2007 determination	Nursing Home		Austricia, nai	Penai	ng 09/07/2007	7
	9111	Northern Manor	Petitioner seeks to	OUCM Dalmhiumanis	NP. 10 10 10 10 10 10 10 10 10 10 10 10 10				
		Multicare Center, Inc., f/k/a Northern Manor Geriatric Center, Inc.,	annul various rate revisions following audit resulting from	OHSM Reimbursement - Nursing Home	Nixon Peabody	Rosenthal, Hal	Pendi	ing 06/29/2007	
	20	v. Daines, et al.	correction of a computer programming					5 <del>1</del>	
			error.		70				
	9107	St. Patrick's Home for the Aged and Infirm v. Commissioner of Health	Seeking a judgment for DOH to process rate appeal w/o delay and	OHSM Reimbursement - Nursing Home	Amanda I. FiggsGanter, Esq., of Ruffo Tabora Mainello & McKay, P.C.	Cartier, Susan	Pendi	ing 06/28/2007	
		of the State of New York and Director of Budget of the State of	DOH has acted in an arbitrary and capricious manner in not					***	10
20		New York	performing its duty of		* **				
			revising Medicare Part B offsets in a prompt manner.					*	
	9043	Terrence Cardinal Cooke Health Care	Plaintiff challenges- calculation of 07	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.	Cartier, Susan	Pend	ing 03/21/2007	
		Center v. Daines, Francis	Medicaid rates. Issues raised include: use of		950	· ·	*		
			stale data, reductions across the board,						
		10	elimination of the 97/98 trend factor, reserved						
			bed days, improper PRI policyl, cash	ta   2					
			assessment, excluding						
	9042	St. Teresa's Nursing	agency and RNs from Plaintiff challenges the	OHSM Reimbursement -	- David Bernfeld, Esc.	Cartier, Susan	Pend	ing 03/21/2007	
		Home v. Daines, Francis	Medicaid rates. Issues	Nursing Home		10000	,		
			raised include: use of stale data, reductions						
			across the board, elimination of the 97/98					,	
			trend factor, reserved bed days, improper PRI						
			policy, cash assessment, excluding						
	9041	Palm Tree Nursing	agency and R Plaintiff challenges the	OHEM Balachinas	Decid Designation in		This e	<b>.</b>	
	20-11	Home v. Daines, Francis		OHSM Reimbursement Nursing Home	- vavio bernfeld, Esq.	Cartier, Susan	Pend	ing 03/21/2007	
			raised include: use of						
	154		stale data, reductions across the board,	E 10 I			60	25	
			elimination of the 97/98 trend factor, reserved	<b>.</b>					
		4	bed days, improper PRI policy, cash						
			assessment, excluding			2 5	15		

				**	4	191
2040	English was be	agency and RN		¥ 18		¥
 9040			HSM Reimbursement -		Cartier, Susan	Pending 03/21/2007
	Home v. Daines, Francis	Medicaid rates Issued	lursing Home	Esq., of Cadwalader,		
		raised include: use of		Wickersham & Taft LLP	(d)     1	
75		stale data, reductions				
		across the board,	20			
		elimination of the 97/98				
		trend factor, reserved				
		bed days, improper PRI		1 3		
		policy, cash				
		assessment, excluding				
0000	20 7	agency and RNs from RI	trine tak am ca.			
9039	Mary Manning Walsh	Plaintiff.challenges the	OHSM Reimbursement -	David Bernfeld, Esq.	Cartier, Susan	Pending 03/21/2007
	Nursing Home Co., Inc.		Nursing Home			•
	v. Daines, Francis	Medicaid rates Issues				
		raised include: use of stale data, reductions				
	5962	across the board,	W			
	•	elimination of the 97/98				
		trend factor, reserved				
	200	bed days, improper PRI		.5		
		policy, cash				
		assessment, excluding				
0000	Value Bridge	agency and RN	Maria de la composición del composición de la co	52.00 St. 100		
9038	Kateri Residence v.		OHSM Reimbursement -	David Bernfeld, Esq.	Cartier, Susan	<ul> <li>Pending 03/21/2007</li> </ul>
	Daines, Francis	Medicaid rates. Issues	Nursing Home			
		raised include: use of			i i	47
		stale data, reductions	W 19		10.	
		across the board,				
	12	elimination of the 97/98				
		trend factor, reserved				
		bed days, improper PRI			,	
		policy, cash				
		assessment, excluding				WW.2
0007		agency and RNs		A commence		
9037	The Concord Nursing		OHSM Reimbursement	- David Bernfeld, Esq.	Cartier, Susan	Pending 03/21/2007
	Home, Inc. v. Daines, Francis	calculation of its 07 Medicaid rates. Issues	Nursing Home			
	( rengis	raised include: use of				
	14 (40	stale data, reductions				1 N N N N N N N N N N N N N N N N N N N
	a "	across the board,				
		elimination of the 97/98	N.,			
	20	trend factor, reserved				
	*1	bed days, improper PRI			¥1	
		policy, cash				
		assessment, excluding				
9036	St. Vincent de Paul	agncy and RNs Challenge to 2007	OUCM Brimburgament	Bamfold CoMatter 9	Siamon Jaroch	Bandina 03/31/2003
2020	Residence v. Daines,	Medicaid rates: issues	Nursing Home	<ul> <li>Bernfeld, DeMatteo &amp; Bernfeld, LLP</li> </ul>	Bierman, Joseph	Pending 03/21/2007
	Francis	raised are adequacy,	riorang riome	bermeio, ter		
	S. 2017 M. 2017	use of 1983 base,				
	3.50	reduction for				
	38	productivity, elimination			7	
	25	of 97/98 trend factor,				* **
	20	reserved bed days, PRI			10.00	
		policy, gross receipts				
		assessment, RIPAF calculation, indirect				
		component calculation		(40)		
		and				
9035	German Masonic Home	Challenge to 2007	OHSM Reimbursement	- Bernfeld, DeMatteo &	Bierman, Joseph	Pending 03/21/2007
	Corporation, d/b/a	Medicaid rates: issues	Nursing Home	Bernfeld, LLP	OTENIA SOUND THE UNION SHOW	
	Dumont Masonic Home					
	v. Daines, Francis	reduction for	12			
		productivity, elimination	K .			
		of 97/98 trend factor,				
		reserved bed days, PRI policy, gross receipts		*0		
		assessment, RIPAF				
		calculation,		e a // /		
		recalibration, A&F cap,				
50		indirect component				
200		calculati	1	New year service		14 F 1 (5) 525 1 F 225 5 F 2 5 5 5 5 5 5 5 5 5 5 5 5 5 5
9034			OHSM Reimbursemen		Bierman, Joseph	Pending 03/21/2007
	Co., Inc. v. Daines,	Medicaid rates: issues	Nursing Home	Bernfeld, LLP	(5)	€
	Francis	raised are adequacy,				
		use of 1983 base,				
		reduction for productivity, eliminatio	•			
	<i>10</i>	of 97/98 trend factor,	**	- x		
		reserved bed days, PRI				v.
		policy, gross receipts	7.			
		assessment, RIPAF	* *			
		calculation,				
		recalibration, A&F cap,	į.			¥1
Control		HCRA add-o			2 8 0 0	11 12
903	3 Elant at Brandywine,	Challenge to 2007	OHSM Reimbursemen	it - Bernfeld, DeMatteo &	Bierman, Joseph	Pending 03/21/2007

		-	N			,	¥2
			Medicaid rates: issues raised are inadequacy, use of 1983 base year,	Nursing Home	Bernfeld, LLP		
			reduction for productivity, elimination of 97/98 trend factor; reserved bed days, PRI				
			policy; gross receipts assessment; RIPAF calculation;				
			recalibration; return on				
	9032	Cedar Manor, Inc. v. Daines, Francis	Challenge to 2007 Medicaid rates: issues raised are adequacy,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMattee & Bernfeld, LLP	Bierman, Joseph	Pending 03/21/2007
			use of 1983 base, reduction for productivity, elimination				
			of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF	r			70
			calculation, indirect component calculation, re			8	
	9031	Carmel Richmond	Challenge to 2007	OHSM Reimbursement -	Bernfeld, DeMattee &	Slorman Janes	
		Nursing Home v. Daines, Francis	stale base year data, productivity & efficiency reduction; PRI policy;	Nursing Home	Bernfeid, LLP	Bierman, Joseph	Pending 03/21/2007
			cash assessments; A&F cap; ceilings,				•
*			elimination of 97/98 trend factor; reserved				
			bed days; exclusion of agency and registry nurses; HCRA add-o				
	9030-	Bayberry Nursing Home v. Daines, Francis	raised are inadequacy,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteOo & Bernfeld, LLP	Bierman, Joseph	Pending 03/21/2007
	*	2 1	continued use of 1983 base, reduction for efficiency, elimination of 97/98 trend factor,				
			reserved bed days, PRI policy, gross receipts			£ 1	
			assessment, RIPAF calculation, recalibration, A&F cap, i				
	9028	Methodist Church Home for the Aged v. Daines	Medicaid rates. Issues	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.	Rosenthal, Hal	Pending 03/21/2007
			raised include, stale data, adjustment to encourage efficiency				
			and economy, 97/98				
			trend factor, reserved bed days, PRI audits,			-170	
			cash receipts assessment, reimbursement for				
	9027	King Street Home, Inc.	HCRA mandat Plaintiff challenges the	OHSM Reimbursement -	David Bornfold See	Pagasthal test	
		v. Daines	calculation of tis 2007 Medicaid rates. Issues raised include stale	Nursing Home	world deringing, 13q.	Rosenthal, Hal	Pending 03/21/2007
		10	data, adjustment to encourage efficiency				
			and economy, 97/98 trend factor, reserved bed days, PRI audits,				
			cash receipts assessment, reimbursement of HCRA				
	9026	Clas Ander Year	mandates	6.00m m 6			
	9026	Glen Arden, Inc. v. Daines	Challenge to 2007 rates, issues include; stale base year data,	OHSM Reimbursement - Nursing Home	David Bernfeld	Rosenthal, Hal	Pending 03/21/2007
			productivity & efficiency reduction, PRI policy,				1 to 50
			cash assessments, ceilings, 97/98 trend				8 67
		J. 1880	factor, reserved bed days, RIPAF			r	
	9025	Elant at Goshen, Inc. v.	calculations, A&F Cap as HCRA expenditures	Park Appearant of the work	2002		MYVEG 2
	4053	Daines	Plaintiff challenges the calculation of tis 2007 Medicaid rates . Issues	OHSM Reimbursement - Nursing Home	David Bernfeld	Rosenthal, Hal	Pending 03/21/2007
		1.4	W.				

				* *			
	7	raised include stale					
		data, adjustment to					
		encourage efficiency					
		and economy, 97/98 trend factor, reserved	17.1				
		bed days, PRI audits,		*		1.00	211-215
	¥2	cash receipts				9	
		assessment,					
		reimbursement of HCRA					
902	A Now Cana Canal N	mandates				32	
302	4 New Sans Souci Nursing Home v. Daines	Plaintiff challenges the	OHSM Reimbursement -	David Bernfeld, Esq.	Rosenthal, Hall	Pending	03/21/2007
	ment of Dames	calculation of its 2007 Medicaid rates, Issues	Nursing Home			· endang	-
		raised include stale					
		data, adjustment to					
		encourage efficiency				•	
		and economy, 97/98					
		trend factor, reserved					
*		bed days, PRI audits, cash receipts					
		assessment,					
		reimbursement of HCRA					
	II . II	mandate	58				
902	- and the same day to the	Plaintiff challenges the	OHSM Reimbursement -	David Bernfeld	Rosenthal, Hal	Danding	03/34/2003
Ÿ	v. Daines	calculation of its 2007	Nursing Home		resolution, rigi	remaing	03/21/2007
		Medicaid rates. Issues raised include stale		*	2		
		data, adjustment to					
- 20		encourage efficiency					
- 501		and economy, 97/98		•			
		trend factor, reserved					
	*	bed days, PRI audits,					
		cash receipts assessment,					18
		reimbursement of HCRA					
		mandates					4
901		Petitioners, Greater	OHSM Reimbursement -	Allison Kochman	Rosenthal, Hal	Panding	03/01/2007
	Health Care Facilities	New York Facilities	Nursing Home		moderation, rius	reisonig	03/01/2007
	Association, et al. v. Daines, et al.	Association and its	100				
	Dames, et as.	members, assert that their 2007 Medicaid		4			
		reimbursement rates		<u> </u>			
		violate 42 USC 1396a	100 =				
	,,,	(a)(30)'s standard that					
		rates be consistent with		,			
		efficiency, economy and	135				
		quality of care and are sufficient to re					
895	1 Concourse	Plaintiff is seeking a	OHSM Reimbursement -	Manua Naiman Fan af		19210000000000	
	Rehabilitation & Nursing	declaratory judgment	Nursing Home	Marvin Neiman, Esq., of Neiman Ginsburg &	Cartier, Susan	Pending	11/14/2006
	Center, Inc. v. Novello,	that DOH's	realing realing	Mairanz P.C.			eli.
	individually and as	determination on		0.0000000000000000000000000000000000000			
	Commissioner	7/14/06 is arbitrary &	W.				
		capricious and unlawful and DOH should return		20			9
		\$300,000 recouped			(2)		
		from Medicaid					
		payments plus interest					
894	1 Concourse	thereon from 10/1996.	Outon not				
034	1 Concourse Rehabilitation & Nursing	Civil rights action	OHSM Reimbursement -		Bierman, Joseph	Pending	10/26/2006
	Center v. Novello, Van	determination issued on	Nursing Home	Mairanz, P.C.			
	Guysling	June 28, 2006					
		pertaining to gross					
		receipts assessments	W e				
		due for the period commencing January 1.					
		2003.					
894	O SS. Joachim & Anne	Petitioner seeks to	OHSM Reimburgement	Ruffo Tabora Mainvello	Diamena .		.0.000.0000
	Residence v. Novello	require the Department	Nursing Home	& McKay, P.C.	Bierman, Joseph	Pending	10/25/2006
		to process its Medicaid		a reneggi rich			
	8	rate appeals seeking					
		correction of the					
901	7 Sanadardina Mania	Medicare Part B offset	and the second	100 DOM D 100 D			
891	17 Brandywine Nursing Home, Inc. v. Novello	Challenge to the audit results of plaintiff's	OHSM Reimbursement -		Bierman, Joseph	Pending	09/05/2006
	FINANCE, AND V. 110 VCSO	patient review	Nursing Home	Bernfeld, LLP			
4.7		instrument submissions					
889		Petitioner seeks to	OHSM Reimbursement -	McNamee, Lochner	Rosenthal, Hal	Panding	01/19/2006
	Hutton Nursing Home v	annul the Department's	Nursing Home	Titus & Williams, P.C.		- chang	2 11 1 21 1 100 D
	The New York State	determination to recoup					
	Departmen of Health	proceeds of the revision			15.1	1 20	
	- P <sub>0</sub>	of Hutton Nursing Homes 1995-1997				•5	2
		Medicaid rates pursuant				0.000	
		to the St. James Nurisn			100		
		Home decision to pay	· ·				
		for overpayments and	3	13		*	
		unpaid cash receipt		*	6		