

Litigation

File Number	Title	Nature	Type	Adversary Attorney Name	DOH Attorney	Status	Date Received
10898	Shore View Nursing Home and Seacrest Health Care Center v. OMIG; DOH	Counsel has requested a hearing challenging a determination by a DOH consultant demanding \$119,037.69 from Shore View and \$45,275.48 from Seacrest concerning Medicaid overpayments.	OHSM Reimbursement - Nursing Home	Cornelius D. Murray, Esq. of O'Connell & Aronowitz		Pending	12/04/2014
10600	Morning Star Care Center, LLC v. State of New York Department of Health (Index 13-1596) BHIP	Plaintiff/Petitioner is the Assignee of Mr. John J. Pelkey (Deceased) right to pursue Medical Assistance and has been authorized to do so by and through Plaintiff/Petitioner Admission Agreement	OHSM Reimbursement - Nursing Home	Alex Lvovich, Paralegal		Pending	10/15/2013
10526	Ruby Weston Manor v. Commissioner of Health of the State of New York; and Director of the Budget of the State of New York (Index 3099-13) SGC	Petitioner seeks a judgment declaring the Department's denial of Plaintiff's rate appeal violated the Department's regulations and directing the Department to recalculate Plaintiff's rate using 240 beds rather than 280 beds.	OHSM Reimbursement - Nursing Home	Raul A. Tabora of Bond, Schoeneck & King, PLLC		Pending	06/14/2013
10524	Nesconset Nursing Center, LLC v. Hon. Nirav R. Shah, M.D., Robert L. Megna Article 78 (Index 2498-13) SGC	Petitioner seeking a judgment ordering the Department to perform a Medicare Part B Reconciliation of Petitioner's rates from Jan. 1, 1995 through Dec 31, 2007 and then to forward the revised rate to the DOB for certification and eventual payment by the Department.	OHSM Reimbursement - Nursing Home	Cornelius D. Murray, Esq., of O'Connell and Aronowitz		Pending	05/21/2013
10504	Abraham Sieger and Chana Brachfeld, as Co-Administrators of the Estate of Helen Sieger, Deceased; and Kingsbridge Heights Care Center, Inc. v. Nirav R. Shah, M.D., M.P.H., in his capacity as Commissioner of Health of the State of New York (Index 2354-13)	Petitioners seek the annulment fo the Commissioner's Order dated February 24, 2011, directing them to pay the sum of \$32,968,448.00 as restitution and penalties for an improper withdrawal of equity from Kingsbridge Heights.	OHSM Reimbursement - Nursing Home	John P. Calareso, Jr., Esq. of Whiteman Osterman & Hanna LLP		Pending	04/30/2013
10451	Bayberry Nursing Home, et al. v. Shah, Megna (Index 150141-2013) SGC	Plaintiffs seek declaratory relief adn relief under CPLR Article 78 declaring that the rates are arbitrary, capricious, improper, unlawful and in excess of lawful jurisdiction, and directing that Defendants recalculate and pay plaintiffs properly. 2012 rate - reserved bed patient day - RBPd	OHSM Reimbursement - Nursing Home	Jeffrey L. Bernfeld of Bernfeld DeMatteo & Bernfeld, LLP		Pending	01/22/2013
10450	Amsterdam Nursing Home v. Nirav R. Shah, M.D., Robert L. Megna (Index 150142-2013) SGC	Plaintiff seeks declaratory relief and relief under CPLR Article 78 declaring that the rates are arbitrary and capricious, unlawful, improper, and in excess of lawful jurisdiction, and directing that Defendants recalculate and pay plaintiff properly. RBPd - reserved bed patient day	OHSM Reimbursement - Nursing Home	Jeffrey L. Bernfeld of Bernfeld DeMatteo & Bernfeld, LLP		Pending	01/22/2013
10447	Highfield Gardens Care Center of Great Neck v. Nirav R. Shah,	Petitioner seeking an Order interpreting Highfield Gardens requiring the Dept. to process and grant the rate appeal immediately and	OHSM Reimbursement - Nursing Home	Paul Greene, Esq. of Harter Secrest & Emery LLP,		Pending	01/07/2013

	M.D. (Index 76-13) SGC	to pay \$572,656.33 to Petitioner immediately.					
10311	Woodside Manor Nursing Home, et al. v. Shah, Megna, et al. (Index 12-1306) RJZ	Petitioners are seeking a judgment: Directing the Dept. to process Petitioners' outstanding Medicaid rate appeals, which request recomputation of rates due to overpayments from Petitioners until Petitioners' rate appeals have been resolved; and ordering the Dept. to pay Petitioners, with interest, any amounts denied or withheld from Petitioners as a result of the Dept.'s failure to promptly address and resolve Petitioners' Medicaid rate appeals.	OHSM Reimbursement - Nursing Home	Thomas G. Smith, Esq.		Pending	02/06/2012
10309	Concourse Rehabilitation & Nursing Center, Inc., et al. v. Nirav R. Shah, M.D., M.P.H., individually and as Commissioner of Health of the New York State Department of Health, et al. (Index 309255-2011) RJZ	Plaintiffs are seeking a Judgment under 42 USC 1983 directing Defendants "to recompute, promulgate and process the Medicaid reimbursement rates for Plaintiffs for the period commencing January 1, 2009 through December 31, 2011" and "declaring the Defendants' determination dated June 20, 211, is arbitrary, capricious and in violation of applicable law."	OHSM Reimbursement - Nursing Home	Marvin Neiman of Neiman & Mairanz, P.C.		Pending	02/03/2012
10292	Ozanam Hall of Queens Nursing Home, Inc. v. Commissioner of Health of the State of New York, et al. (Index 7994-11) SGC	Plaintiff is challenging the Department's calculation of the Medicare Part B portion of its Medicaid rate for the years 1999 through 2006.	OHSM Reimbursement - Nursing Home	Raul Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	12/28/2011
10290	Grace Plaza of Great Neck, Inc. v. Shah, et al. (Index 7731-11)	Petitioner is seeking a Judgment: annulling the August 15, 2011 determination by the Dept. that retroactively revised Petitioner's Medicaid Part B offset component of Petitioner's Medicaid reimbursement rate for the period of Jan. 1, 1999 through June 1, 2003; ordering the Dept. to recalculate the Petitioner's Medicaid reimbursement rate for the period; and ordering the Dept. to make payment of any amount due as a result of the recalculated Medicaid reimbursement rate for that period.	OHSM Reimbursement - Nursing Home	Patricia A. Ranney, Paralegal of O'Connell & Aronowitz		Pending	12/16/2011
10279	Greater New York Health Care Facility Association, et al. v. Shah, et al.	Petitioners seek to invalidate the Depts current Medicaid rate-setting methodology for NH services for the period on and after 1/1/11, on the ground said methodology violates federal Medicaid law rate-setting standards. Art 78	OHSM Reimbursement - Nursing Home	Allison b. Kochman, Esq.		Pending	10/19/2011
10278	Schenectady Nursing and Rehabilitation Center, LLC d/b/a The Avenue Nursing and Rehabilitation Centre v. Shah	Petitioner seeks an Order declaring rate periods 2007 forward that the Depts calculation of the Petitioner's Medicaid reimbursement rates based on the Petitioner's (first) submission of a 12 month cost report for 7/1/07 to 6/30/08 was erroneous as to vari	OHSM Reimbursement - Nursing Home	Cornelius Murray, of O'Connell & Aronowitz		Pending	10/17/2011
10277	Cold Spring Hills Center for Nursing and Rehabilitation v. Shah, Megna, et al. (Index 11-12389) RJZ	Petitioner seeks an Order declaring for rate periods 2009 forward that the Department's calculation of the Petitioner's Medicaid reimbursement rates based on a pre-Berger Commission	OHSM Reimbursement - Nursing Home	Thomas G. Smith, Esq., of Harter Secrest & Emery, LLP		Pending	10/21/2011

		2008 bed capacity of 672 instead of the post Berger Commission actual bed capacity					
10276	Bayberry Nursing Home, et al. v. Shah, Megna, et al. (Index 11-111862) SGC	Plaintiff seeking judgment (a) declaring that Medicaid rates promulgated in June 2011 for the period from April 2009 through at least Sept. 2011 are improper, unlawful and deficient; and (b) directing recalculation of Medicaid rates and payment at the recalc. challenging reserve bed patient days RBPd	OHSM Reimbursement - Nursing Home	Jeffrey L. Bernfeld of Bernfeld, DeMatteo & Bernfeld, LLP		Pending	11/03/2011
10273	Odd Fellows & Rebekah Rehabilitation and Health Care Center, Inc. v. Commissioner of Health of the State of New York et al. (Index 7179-11) JMN	Petitioner is seeking an Order from the Court pursuant to Art. 78 fo the CPLR: (1) annulling the determination issued July 15, 2011 insofar as it upheld the disallowance of certain operating and property costs (e.g., reclassification of employee salaries	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	11/18/2011
10263	United Home for Aged Hebrews, et al. v. New York State Department of Health, et al. (Index 16110-11) RJZ	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Department calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri Court decision, "reserved bed days" in "patient days." (Index 16110-11) RJZ	OHSM Reimbursement - Nursing Home	Thomas S. D'Antonio of Ward Greenberg Heller & Reidy, LLP		Pending	11/01/2011
10262	Good Samaritan Hospital Medical Center, Inc., et al. v. New York State Department of Health, et al. (SGC)	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Department calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri Court decision, "Reserved bed days" in "patient days."	OHSM Reimbursement - Nursing Home	Thomas S. D'Antonio of Ward Greenberg Heller & Reidy, LLP		Pending	11/01/2011
10261	Autumn View Health Care Facility, et al. v. New York State Department of Health, et al. (Index 12464-2011) SGC	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Department calculated Medicaid reimbursement rates incorrectly by including, contrary to the Kateri Court decision, "reserved bed days" in "patient days". Article 78	OHSM Reimbursement - Nursing Home	Thomas S. D'Antonio of Ward Greenberg Heller & Reidy LLP		Pending	11/01/2011
10260	Carthage Nursing & Rehabilitation Center, LLC, d/b/a The Country Manor Nursing & Rehabilitation Centre v. Shah (SGC)	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Dept. calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri court decision, "reserved bed days" in "patient days." Petitioner is also seekin	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq. of O'Connell & Aronowitz		Pending	10/18/2011
10259	Troy Nursing & Rehabilitation Center, LLC, d/b/a The Springs Nursing and Rehabilitation Centre v. Shah	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Dept. calculated Medicaid reimbursement rates nicorrectly by including contrary to the Kateri court decision, "reserbed bed days" in "patient days." Petitioner is also seeking	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq. of O'Connell & Aronowitz		Pending	10/18/2011
10258	Glens Falls Nursing & Rehabilitation Center, LLC, d/b/a The Stanton Nursing & Rehabilitation Centre v. Shah	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Dept. calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri court decision, "reserved bed days" in	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq. of O'Connell & Aronowitz		Pending	10/18/2011

		"patient days." Petitioner is also seeking					
10257	Jansen Road Nursing & Rehabilitation Center, LLC, d/b/a The Mountain View Nursing & Rehabilitation Centre v. Shah	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Dept. calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri court decision, "reserved bed days" in "patient days." Petitioner is also seeking	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq. of O'Connell & Aronowitz		Pending	10/18/2011
10256	Minoa Nursing & Rehabilitation Center, LLC, d/b/a The Crossings Nursing & Rehabilitation Centre v. Shah	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Dept. calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri court decision, "reserved bed days" in "patient days." Petitioner is also seeking	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq. of O'Connell & Aronowitz		Pending	10/18/2011
10255	Granville Nursing & Rehabilitation Center, LLC, d/b/a The Orchard Nursing & Rehabilitation Centre v. Shah	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Kateri court decision, "reserved bed days" in "patient days." Petitioner is also seeking an Order granting its various pending rate appeals on the ground that the Dept. is li	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq. of O'Connell & Aronowitz		Pending	10/18/2011
10254	Schenectady Nursing and Rehabilitation Center LLC, d/b/a Dutch Manor Nursing and Rehabilitation Centre v. Shah	Petitioner is seeking an Order declaring for rate periods 2009 forward that the Dept. calculated Medicaid reimbursement rates incorrectly by including contrary to the Kateri court decision, "reserved bed days" in "patient days." Petitioner is also seeking	OHSM Reimbursement - Nursing Home	Cornelius Murray, Esq.		Pending	10/18/2011
10249	St. Barnabas Nursing Home, Inc. v. Shah, et al.	Petitioner is seeking in this "hybrid declaratory judgment action and article 78 proceeding" (1) declaration that Respondents' determination of petitioner's Medicaid rates have been set incorrectly due to errors in the computation of a hold harmless rate, plus Reserved Bed Days	OHSM Reimbursement - Nursing Home	Jason Hsi of Garfunkel Wild, P.C.		Pending	10/21/2011
10243	The Avenue Nursing & Rehabilitation Center, et al v. Shah (BHIP) SGC	Art 78 proceeding by 161 nursing homes seeking to annul DOH's imposition of a negative "banking adjustment" on the 2009 trend factor as in effect for the first 3 months of 2009. as effectuated as a reduction to 2010 NH Medicaid rates. See companion case with 22 more NHs -- #10242 (Absolute NH)	OHSM Reimbursement - Nursing Home	Cornelius D. Murray, Esq. (O'Connell & Aronowitz)		Pending	10/20/2011
10242	Absolute Center for Nursing & Rehab, et al v. Shah (BHIP)	Art 78 proceeding by 22 nursing homes seeking to annual DOH's imposition of a negative "banking adjustment" on the 2009 trend factor as in effect for the first 3 months of 2009, as effectuated as a reduction to 2010 NH Medicaid rates. See companion case (The Avenues) #10243.	OHSM Reimbursement - Nursing Home	William F Berglund, Esq. (O'Connell & Aronowitz)		Pending	10/21/2011
10238	Jewish Home Lifecare - Sarah Neuman Center, Westchester v. Shah and Megna (2) (Index 16163-11) SGC	Petitioner challenges the Department's classification of petitioner as a New York City facility, rather than a Westchester County facility, for purposes of determining its wage equalization factor, also referred to as the	OHSM Reimbursement - Nursing Home	Brian T. McGovern of Cadwalader, Wickersham & Taft LLP		Pending	10/21/2011

		Regional Input Price Adjustment F					
10236	Bridge View Nursing Home, Inc., et al v. Cuomo, Shah (BHIP)	Declaratory judgment action by 32 downstate proprietary NHs challenging their "re-basing" Medicaid rates issued in June, 2011 and made retro to 4/1/09. Other issues include \$210M cap, 2009 negative trend banking adjust, admin rate appeal cap, "prospectivity", MA only case mix, + remediation payments.	OHSM Reimbursement - Nursing Home	Jerome T. Levy, Esq., (Duane Morris, LLP)		Pending	10/20/2011
10228	Wedgewood Care Center, Inc. d/b/a Highfield Gardens Care Center of Great Neck v. Nirav R. Shah, M.D., M.P.H., as Commissioner of Health of the State of New York	Petitioner is seeking a judgment directing the Department to process petitioner's outstanding Medicaid rate appeals and revise its Medicaid reimbursement rate.	OHSM Reimbursement - Nursing Home	Mark H. Zafrin, Esq., of Michelman & Robinson, LLP		Pending	10/06/2011
10208	Ozanam Hall of Queens Nursing Home, Inc. v. Commissioner of Health (Index 5629-11) SGC	Petitioner is challenging the Department's denial to reconsider an appeal and seeks an order demanding the Department to provide plaintiff with an opportunity to be heard regarding an alleged disputed issue of fact.	OHSM Reimbursement - Nursing Home	Gurudev D. Allin, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	09/01/2011
10180	M. M. Ewing Continuing Care Center v. DOH	Petitioner is seeking an order directing the Department to process petitioner's outstanding Medicaid rate appeals from between 1984 and 2007.	OHSM Reimbursement - Nursing Home	Hermes Fernandes, Esq., of Bond, Schoeneck & King, PLLC		Pending	07/12/2011
10169	Grace Plaza of Great Neck, Inc. v. Shah, Megna	Petitioner is seeking to require the recalculation of the Medicare Part B Offset used in calculating its 1999 through 2003 Medicaid reimbursement rate and in particular challenges the correction of a purported error in the calculation of a 1994 physician	OHSM Reimbursement - Nursing Home	Neil Murray of O'Connell & Aronowitz		Pending	06/23/2011
10167	Isabella Geriatric Center, Inc., vs DOH, OMIG, DOB (Index 406-11) RAV	Declaratory judgment action in Supreme Court, Albany County seeking to annul an OMIG audit determination re plaintiff's reimbursement for its mortgage interest expense for 2002-05 period.	OHSM Reimbursement - Nursing Home	Ruffo, Tabora, Mainello & McKay, PC (Gurudev D. Allin, esq)		Pending	06/23/2011
10161	Baird Nursing Home vs Shah, Megna [DOB] (Index 11-6978) RAV	Article 78 proceeding seeking to require DOH to process certain pending administrative rate appeals (2002-09 period) filed by petitioner.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP (Thomas G. Smith, esq)		Pending	06/14/2011
10151	Conesus Lake Nursing Home, Penfield Place, LLC v. Shah, Megna (Index 2011-5919)	Petitioner's are seeking to annul determinations pertaining to recruitment and retention awards for April 1, 2007 onward.	OHSM Reimbursement - Nursing Home	Tom Smith of Harter Secrest & Emery		Pending	05/23/2011
10150	Adirondack Medical Center v. Sheehan, OMIG	Petitioner challenges the Office of the Medicaid Inspector General's authority to audit Patient Review Instruments the Department was served with notice of the proceeding, but is not named as a party.	OHSM Reimbursement - Nursing Home	Richard Frankel of Iseman Cunningham Riester & Hyde		Pending	05/13/2011
10142	New Sans Souci Nursing Home, LLC, Sans Souci Rehabilitation and Nursing Center as d/b/a of Westchester Park, LLC v. Commissioner of Health, Director of the Budget (Index 2808-11) FEA	Petitioners challenge the medical reimbursement rates calculated for a new nursing home operator for periods after October 1, 2007, asserting that the Department improperly utilized patient review instruments for periods prior to October 1, 2007, in deter	OHSM Reimbursement - Nursing Home	Raul Tabora		Pending	04/28/2011

10139	Avalon Gardens Rehabilitation and Health Care Center LLC v. Shah, Megna (Index 11-12925) Article 78	Petitioner challenges determinations including the calculation of its cost based pediatric unit rates, and the denial of working capital interest and capital cost appeals. Petitioner seeks a preliminary injunction enjoining recoupment of Medicaid overpay	OHSM Reimbursement - Nursing Home	David Yaffle		Pending	05/06/2011
10132	Putnam Ridge Nursing Home & Rehabilitation Center, et al vs Nirav R. Shah, MD, Commissioner NYS DEPT OF HEALTH and Robert L. Megna, Director NYS Budget (Index 11-4746) RAV	Article 78 -- S. CT, Monroe Co., seeking to require DOH + DOB to issue final re-basing rates for NHs (per 2808(2-b)(b)) retro to 4/1/09.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emory, LLP (Thomas G. Smith, Esq)		Pending	04/21/2011
10115	Concourse Rehabilitation & Nursing Center, Inc. v. Nirav R. Shah, M.D., M.P.H., Robert L. Megna	Plaintiff challenges the calculation of its January 1, 2008 through March 31, 2009 Medicaid reimbursement rates asserting it has not received proper reimbursement of its real property taxes.	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	03/28/2011
10109	Kirkhaven Transitional & LTC, et al v. Nirav R. Shah, MD, Commissioner of Health and Robert Megna [DOB] (index 11-3433) RAV	Article 78 proceeding commenced on 3/23/11 on behalf of many (50+) upstate nursing homes seeking to require DOH + DOB to implement re-basing rates for NHs retro to 4/1/09 as required by PHL sec 2808(2-b)(b)	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emory, LLP (Thomas G. Smith, Esq.)		Pending	03/23/2011
10070	Baptist Health Nursing and Rehabilitation Center, Inc. v. The Commissioner of Health of the State of New York and the Director of the Division of the Budget of the State of New York (Index 2010-2767)	Petitioner is seeking to annul the calculation of the Medicare Part B offset utilized in calculating its 1999-2007 Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	01/03/2011
10063	Village Park Health Care Center, et al. v. Daines, Megna (Index 2010-012356) SGC	Petitioners are seeking a judgment that the Department's determinations of petitioners' Medicaid rate appeals for rates effective on or after January 1, 1992 be declared illegal.	OHSM Reimbursement - Nursing Home	Thomas G. Smith, Esq., of Harter, Secrest & Emery LLP		Pending	12/14/2010
10058	Mercy Hospital Skilled Nursing Facility v Richard F. Daines, M.D., Robert L. Megna (Index 012192)	Petitioner seeks to require the processing of a capital cost rate appeal submitted on October 8, 2008.	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery, LLP		Pending	12/08/2010
10055	Bronx-Lebanon Hospital 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 2008/2009 Medicaid reimbursement rates for inpatient medically managed detoxification care.	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose		Pending	11/19/2010
10049	Nassau University 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 2008/2009 Medicaid reimbursement rates for inpatient medically managed detoxification care.	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose		Pending	11/16/2010
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 2008/2009 Medicaid reimbursement rates for inpatient medically	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose		Pending	11/16/2010

		managed detoxification care.					
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 revision of its 2008 Medicaid reimbursement rates for inpatient medically managed detoxification care.	OHSM Reimbursement - Nursing Home	Ed Kornreich, Hershel Goldfield, Roger A. Cohen, Pierre Circ, of Proskauer Rose		Pending	11/08/2010
10027	The Dewitt Nursing and Rehabilitation Center V Richard F. Daines MD Commissioner NYS DOH and James G. Sheehan as Inspector General of OMIG	This is an action for declaratory judgment and injunctive relief under the PHL. Issue pertains to OMIG PRI audit authority.	OHSM Reimbursement - Nursing Home	Harvey Weinberg		Pending	10/27/2010
10007	New Surfside Nursing Home, LLC, Meadow Park Rehabilitation and Health Care Center, LLC v. State	Claimants allege the Department failed to properly reimburse them for residents in claimants' neurobiological program and seek damages for fraudulent inducement, and breach of express and implied contracts and unjust enrichment.	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, Knaures & McNally, LLP		Pending	09/09/2010
10005	Bayberry Nursing Home, et al vs. Daines + Megna [DOB]	Declaratory judgement action by 13 NHs re Medicaid nursing home rates for 2008 and 2009 period. Issues include reserve bed days, 60 day notice of rates, \$210 M scaleback law and trend factor elimination. [Same plaintiff's attorney + about the same N	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP (Jeffrey Bernfeld, Esq.)		Pending	09/13/2010
10004	Three Rivers Health Care Center, Inc., Arbor Park Health Care Center, and Park Shore Health Care Center, Inc. vs Richard F. Daines, MD, Commissioner NYS DOH & Robert L. Megna as Director of the Budget of the State of NY	Art 78 proceeding in S Ct, Monroe Co seeking to challenge DOH denial of certain rate appeals re to Part B offset + admin cap	OHSM Reimbursement - Nursing Home	Harter, Secret & Emory, LLP (Thomas G. Smith, Esq.)		Pending	09/13/2010
9769	Nassau Health Care Corporation v. NYSDOH, Daines (A. Holly Patterson, NHCC)	Petitioner seeks to annul rate revisions to A. Holly Patterson Nursing Home's 1996-2002 Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Jeffrey Thrope of Foley & Lordner, LLP		Pending	08/02/2010
9766	North Sea Associates, LLC d/b/a The Hamptons Center for Rehabilitation & Nursing v. Richard F. Daines, et al.	Petitioner seeks to require the processing of a rate appeal for cost based rates.	OHSM Reimbursement - Nursing Home	Hamburger Maxson Yaffe Knauer & McNally, LLP		Pending	07/26/2010
9751	Sprain Brook Manor Nursing Home LLC v. New York State Department of Health, et al.	Petitioner seeks to require the Department to allow it to file reports regarding its cash receipts assessment liabilities after those amounts have been billed for recoupment and to refund alleged our recoupment of Medicaid payments.	OHSM Reimbursement - Nursing Home	Garfunkel Wild		Pending	06/22/2010
9743	Concourse Rehabilitation & Nursing Center, Inc. v. Daines, Sheehan	Plaintiff is seeking to enjoin an audit of its 2005 and 2006 Patient Review Instruments being conducted by the Office of the Medicaid Inspector General.	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	06/17/2010

9733	Willoughby Rehabilitation and Health Care Center, LLC d/b/a Spring Creek Rehabilitation Nursing Care Center v. Daines, Megna (Index 14371-10) SGC	Petitioner seeks to require the processing of two Medicaid rate appeals and its patient minimum data set submissions and to enjoin recoupment of Medicaid overpayments pending the determination of the rate appeals.	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, Knauer & McNally, LLP		Pending	06/11/2010
9729	Chapin Home for the Aging v. Daines, Director of the Budget	Challenge to Medicaid reimbursement rates in effect from April 1, 2009 through March 31, 2010. Issues raised are application of the scaleback and Medicaid only case mix adjustments	OHSM Reimbursement - Nursing Home	Ruffo, Tabora, Mainello & McKay, P.C.		Pending	05/27/2010
9728	St. Mary's Center, Inc. v. Daines, Director of the Budget	Challenge to Medicaid reimbursement rates in effect from April 1, 2009, through March 31, 2010. Issues raised are applicatino of the scaleback and Medicaid only case mix adjustments	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	05/27/2010
9726	Schervier Nursing Care Center and 5 others v. Daines, Director of the Budget	Challenge to Medicaid reimbursement rates issued for April 1, 2009, through March 31, 2010. Issues raised are the application of the scaleback adjustment and the Medicaid mix case adjustment.	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	05/24/2010
9723	Father Baker Manor and 30 others v. Daines, Megna	Challenge to Medicaid reimbursement rates effective April 1, 2009. Issues raised are scaleback adjustment, Medicaid only case mix adjustment and computation of the WEF.	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery, LLP		Pending	05/20/2010
9722	Hawthorn Health Multicare Center for Living and 8 others v. Daines, Megna	Challenge to Medicaid reimbursement rates effective April 1, 2009. Issues raised are scaleback adjustment Medicaid only case mix adjustment and computation of the WEF, and individual nursing home computation errors.	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery, LLP		Pending	05/20/2010
9721	Avon Nursing Home, LLC, and 29 others v. Daines, Megna	Challenge to Medicaid reimbursement rates effective April 1, 2009. Issues raised are scale back adjustment, Medicaid only case mix adjustment, and computation of the WEF.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP		Pending	05/21/2010
9720	Jamaica Hospital Nursing Home Co., Inc. v. New York State Department of Health, Richard F. Daines	Petitioner challenges various aspects of the calculation of its 2009 and 2010 Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Foley & Lardner		Pending	05/21/2010
9719	Schulman and Schachne Institute for Nursing and Rehabilitation v. NYSDOH, Daines	Petitioner challenges various appeals of the calculation of its 2009 and 2010 Medicaid reimbursements	OHSM Reimbursement - Nursing Home	Foley & Lardner		Pending	05/21/2010
9718	Nassau Health Care Corp. v. New York State Department of Health, Daines	Petitioner challenges various aspects of the calculation of its 2009 and 2010 Medicaid rate.	OHSM Reimbursement - Nursing Home	Foley & Lardner		Pending	05/21/2010
9716	Greater New York Health Care Facilities Association, et al. v. Daines, et al.	Petitioners, Greater New York Facilities 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 sufficient to re	OHSM Reimbursement - Nursing Home	Thoms Cone		Pending	05/19/2010
9715	Bronx-Lebanon Highbridge Woodycrest Center v. Daines, NYSDOH	Art 78 proceeding in which petitioner seeks to annul April 1, 2009, May 1, 2009, and January 1, 2010 Medicaid reimbursement	OHSM Reimbursement - Nursing Home	Garfunken, Wild & Travis, P.C. (Jason Hsi, esq)		Pending	05/17/2010

		rates on several grounds. Issues center on "re-basing rates" computed per PHL 2808(2-b)(b). Also reserved bed days issue. *Amended Petition served 10/21/11 --					
9714	Bronx-Lebanon Special Care Center v. Daines, NYSDOH	Article 78 proceeding challenging Medicaid rates noticed for April 1, 2009, May 1, 2009 and January 1, 2010 on several grounds. Amended Petition served 10/21/11, challenging final rebasing rates issued 6/11 on various grounds. Also reserved bed days issue.	OHSM Reimbursement - Nursing Home	Garfunkel, Wild & Travis, P.C. (Jason Hsi, esq)		Pending	05/17/2010
9708	DMN Management Services LLC d/b/a Capital Living & Rehabilitation Centers, et al. v. Daines, Megna	Petitioners challenge April 1, 2009 through March 31, 2010 rates on various grounds. They also seek to compel revisions to their 2008 Medicaid rates to reflect actual gross receipts payments.	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz		Pending	05/11/2010
9705	Huntington Living Center v. Richard F. Daines, et al.	Petitioner challenges the calculation of its rate for 2007 onward asserting the rates were not properly calculated in accordance with the "hold harmless" provisions of Public Health Law Section 2808(2-b)(a)(ii).	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery LLP		Pending	04/28/2010
9703	New Surfside Nursing Home, LLC and Meadow Park Rehabilitation Care Center, LLC v. Daines (Index 10185-10) SGC	Petitioners seek to annul Medicaid rate revisions which implement case mix adjustments based upon audits of petitioners' patient review instruments.	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, Knauer & McNally, LLP		Pending	04/26/2010
9679	Bezalel Nursing Home Company, et al. v. Richard F. Daines	Plaintiffs seek a declaration that the rebased Medicaid reimbursement rates issued by the Dept. on January 13, 2010, are invalid for various reasons and that rates in effect on March 31, 2009, shall continue in effect until new rates are properly promulg	OHSM Reimbursement - Nursing Home	Tenzer & Lunin		Pending	03/10/2010
9660	Adirondack Medical Center - Uihlein, et al. v. Richard F. Daines, M.D. (Index 337-10)	Petitioners, 25 nursing homes, seek to annul their 2009 Medicaid reimbursement rates and require recalculation of the rates without inclusion of the administrative and fiscal services cost cap and the rate reduction to encourage improved efficiency and productivity	OHSM Reimbursement - Nursing Home	Ruffo, Tabora, Mainello & McKay, P.C.		Pending	01/27/2010
9646	Concourse Rehabilitation and Nursing Center, Inc. v. Richard F. Daines, M.D., Robert L. Megna	Plaintiff challenges the calculation of its recruitment retention funds for April 1, 2008 onward.	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	12/21/2009
9593	The Brightonian Nursing Home, et al. v. Daines, Paterson	Petitioners/Plaintiffs are seeking to enjoin provisions of Public Health Law Section 2805(5)(c) which requires homes to obtain prior written approvals of the Commissioner of Health for withdrawal of equity or assets from the nursing home.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP		Pending	09/18/2009
9588	Matter of Benedictine Hospital, as receiver of Hutton Nursing Home	Final Accounting for receivership	OHSM Reimbursement - Nursing Home	Daniels & Porco, LLP		Pending	08/25/2009
9574	Bayberry Nursing Home v. Daines, Anglin & 13 other actions	Plaintiffs in 14 separate, but identical actions, seek to declare unlawful the retroactive revision of their 2009 Medicaid reimbursement rates and	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	08/05/2009

		the use of reserved bed days in the rate calculation.						
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 petitioner's Medicaid rates to reflect depreciation utilizing a 23-year useful life.	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	07/08/2009	
9548	Providence Rest, Inc. v. Commissioner of Health, Director of the Budget (2)	Petitioner is challenging the Department's calculation of Medicaid reimbursement rates related to approved project costs for a construction project and seeks a declaration that the Department process plaintiff's pending rate appeals.	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	06/03/2009	
9547	Baptist Health Nursing and Rehabilitation Center, Inc. v. Daines, Budget (3)	Petitioner is seeking a judgment directing the Department to recalculate and revise petitioner's Medicaid rates to reflect depreciation utilizing a 23-year useful life.	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	06/12/2009	
9546	Baptist Health Nursing and Rehabilitation Center, Inc. v. Daines, Budget (2)	Petitioner is seeking a judgment directing the Department to process petitioner's Medicaid rate appeals for rates effective January 1999 to present.	OHSM Reimbursement - Nursing Home	David A. Ruffo, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	06/10/2009	
9543	New York Association of Homes and Services for the Aging, Inc. v. Daines, Anglin, Patterson	Action on behalf of NYAHS members to challenge statutory amendments enacted by chapter 2 & 58 of the laws of 2009 which delayed rebasing of nursing home rates, reduced the trend factor adjustment applicable to 6/1/08-12/31/08 rates and to 2009 rates and	OHSM Reimbursement - Nursing Home	Cadwalader, Wickersham & Taft, LLP		Pending	06/05/2009	
9542	Our Lady of Peace Nursing Care Residence, et al. v. Daines, Anglin, Patterson	266 nursing homes challenge changes to the nursing home methodology enacted by chapters 2 & 58 of the laws of 2009 delaying rebasing, reducing the trend factor, and capping the impact	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz		Pending	06/04/2009	
9539	Providence Rest, Inc. v. Commissioner of Health, Director of the Budget (2)	Petitioner is challenging the Department's calculation of Medicaid reimbursement rates related to approved project costs for a construction project and seeks a declaration that the Department process plaintiff's pending rate appeals.	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	06/03/2009	
9538	Soldiers & Sailors Memorial Hospital d/b/a The Homestead, et al. v. Daines, Anglin, Patterson	21 nursing homes challenge statutory amendments promulgated by chapters 2 & 58 of the 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 t	OHSM Reimbursement - Nursing Home	Harter Secrest & Emery, LLP		Pending	06/03/2009	
9521	Fort Hudson Nursing Center, Inc. v. The Commissioner of Health of the State of New York	Petitioner is seeking a judgment directing the Department to process a Medicaid rate appeal filed by petitioner.	OHSM Reimbursement - Nursing Home	David A. Ruffo, Esq., of Ruffo, Tabora, Mainello & McKay, P.C.		Pending	05/13/2009	
9519	Concourse Rehabilitation & Nursing Center, Inc. v. Richard F. Daines, M.D., Laura L. Anglin	Plaintiff is challenging Medicaid reimbursement rate determinations made on or about December 26, 30 and 31, 2008, and seeks an order that reimbursement of its real estate taxes be recalculated.	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	05/07/2009	
9516	Glens Falls Nursing & Rehabilitation Center, LLC d/b/a	Petitioner seeks to annul the Part D Offset methodology utilized in calculating its January 1, 2006 through	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz		Pending	04/29/2009	

	The Stanton Nursing & Rehabilitation Center v. Richard Daines	July 31, 2007 Medicaid reimbursement rates.					
9514	Adirondack Tri-County Nursing & Rehabilitation Center, Inc. v. Commissioner of Health, Director of the Budget	Plaintiff challenges its 2008 Medicaid rate for capital cost reimbursement and working capital interest expense.	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	04/28/2009
9512	Concourse Rehabilitation & Nursing Center, Inc. v. Richard F. Daines, M.D., Laura L. Anglin	Plaintiff challenges the calculation of its 2008 and 2009 Medicaid reimbursement rates for ventilator patients.	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	04/27/2009
9497	United Home for Aged Hebrews, d/b/a United Hebrew Geriatric Center and United Nursing Home for the Aged v. Richard F. Daines, M.D., et al.	Petitioners seek to be classified as a New York City facility in determining the wage equalization factor utilized in calculating their 2009 Medicaid reimbursement rates	OHSM Reimbursement - Nursing Home	Tom D'Antonio of Proskauer Rose LLP		Pending	04/10/2009
9484	Greater New York Health Care Facilities Association, et al. v. Daines, et al.	Petitioners, Greater New York Facilities Association and its members, assert that their 2009 Medicaid reimbursement rates violate 42 USC 1396a(a)(30)'s standard that rates be consistent with efficiency, economy and quality of care and are sufficient to re	OHSM Reimbursement - Nursing Home	Allison Kochman		Pending	03/17/2009
9476	Kenmore Mercy Hospital d/b/a McAuley Residence v. Daines	Plaintiff seeks a declaratory judgment that it is a hospital based nursing home for Medicaid reimbursement purposes	OHSM Reimbursement - Nursing Home	John Horn, Esq., Harter, Secrest & Emery, LLP		Pending	02/25/2009
9469	Pleasant Valley Residential Health Care Facility v. Commissioner of Health, Director of the Budget	Plaintiff challenges its capital cost reimbursement for its nursing home and adult day health care program.	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	02/13/2009
9460	Wesley Health Care Center, Inc. v. Commissioner of Health	Petitioner seeks to require the Department to recalculate petitioner's reimbursement rates for 2004 through 2007 to adjust the reimbursement for gross receipts assessment to reflect actual gross receipts assessment payments	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, PC		Pending	01/30/2009
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	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay PC		Pending	01/23/2009
9449	Aurora Park Health Care Center, Inc., d/b/a Waters of Aurora Park, et al.	Eleven nursing homes seek an order requiring the Department to process their outstanding Medicaid rate appeals	OHSM Reimbursement - Nursing Home	Harter, Secrest, Emery LLP		Pending	01/20/2009
9400	Concourse Rehabilitation and Nursing Center, Inc. v. Richard F. Daines, M.D., Laura Anglin	Plaintiff challenges the calculation of its recruitment retention funds for 7/1/07 onward.	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	10/20/2008
9391	Valley Health Services, Inc., v. Commissioner of Health, Director of the Budget	Petitioner challenges its Medicaid reimbursement rates from August 1, 2006 to date on the grounds that the incorrect PRIs were used.	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	10/22/2008
9386	Isabella Geriatric Center, Inc. v. Commissioner of Health of the	Petitioner is seeking to annul the Department's denial of petitioner's Medicaid rate appeals.	OHSM Reimbursement - Nursing Home	Amanda Figgs Ganter, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	09/19/2008

	State of New York and Director of the Budget fo the State of New York						
9379	Pinegrove Manor II v. Daines	Petitioner is seeking to require the revision of its July 1, 2007 through march 31, 2008 Medicaid reimbursement rates to include recruitment and retention funds. Petitioner has similar litigation for earlier years.	OHSM Reimbursement - Nursing Home	Abrams, Fensterman, et al.		Pending	09/10/2008
9360	Providence Rest, Inc. v. Commissioner of Health, Director of the Budget	Plaintiff is challenging the Department's calculation of payment rates for Adult Day Helath Care for the period April 1, 2007 through December 31, 2007 and seeks a declaration that the Department process plaintiff's rate appeals.	OHSM Reimbursement - Nursing Home	Raul A. Tabora, Esq., of Ruffo Tabora Mainello & McKay, PC		Pending	07/31/2008
9335	Methodist Church Home for the Aged v. Daines (Index 103267-08)	Plaintiff challenges the calculation of its 2008 Medicaid rates. Issues raised include, stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits, cash receipts assessment, reimbursement for HCRA mandat	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	07/02/2008
9334	New Sans Souci Nursing Home v. Daines (Index 103271-08)	Plaintiff challenges the calculation of its 2008 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	07/02/2008
9333	Elant at Newburgh, Inc. v. Daines (Index 103263-08)	Plaintiff challenges the calculation of its 2008 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	07/02/2008
9332	Elant at Goshen, Inc. v. Daines (Index 103261-08)	Plaintiff challenges the calculation of its 2008 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	07/02/2008
9331	Glen Arden, Inc. v. Daines (Index 103268-08)	Challenge to 2008 rates, issues include; stale base year data, productivity & efficiency reduction, PRI policy, administator and operator salary ceiling, 97/98 trend factor, reserved bed days, RIPAF calculations, A&F Cap as HCRA expenditures	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	07/02/2008
9330	King Street Home, Inc. v. Daines (Index 103266-08)	Plaintiff challenges the calculation of its 2008 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend fctor, reserved bed days, PRI audits, cash receipts assessment, reimbursement of HCRA mandates,	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	07/02/2008
9329	Bayberry Nursing Home v. Daines,	Challenge to 2008 Medicaid rates; issues raised are inadequacy, continued use	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008

	Francis (Index 103270-08)	of 1983 base, reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, RIPAF calculation, recalibration, A&F cap, indirect ceiling calculation Article 78					
9328	Cedar Manor, Inc. v. Daines, Francis (Index 103257-08)	Challenge to 2008 Medicaid rates; issues raised are inadequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor; reserved bed days, PRI policy, RIPAF calculation, indirect component calculation, return on investment and eq	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9327	German Masonic Home Corporation, d/b/a Dumont Masonic Home v. Daines, Francis (Index 103264-08)	Challenge to 2008 Medicaid rates; issues raised are inadequacy, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, RIPAF calculation, A&F Cap, indirect component calculation, ceilings on direct and indirect costs	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9326	Elant at Brandywine, Inc. v. Daines, Francis (Index 103260-08)	Challenge to 2008 Medicaid rates; issues raised are inadequacy, use of 1983 base year, reduction for productivity, elimination of 97/98 trend factor; reserved bed days, PRI policy; RIPAF calculation; recalibration; return on investment and equity; base p	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9325	Northwoods at Hilltop (Index 103255-08)	Challenge to 2008 Medicaid rates; issues raised are inadequacy, continued use of 1983 base year costs, productivity and efficiency, reduction, elimination of 1997/98 trend factor, reserved bed days, PRI policy, RIPAF calculation, administrative and fiscal	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9324	Northwoods at Troy	Challenge to 2008 Medicaid rates; issues raised are inadequacy, continued use of 1983 base year costs, productivity and efficiency reduction, elimination of 1997/98 trend factor, reserved bed days, PRI policy, RIPAF calculation, administrative and fiscal ca	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9323	Northwoods at Rosewood Gardens (Index 103259-08)	Challenge to 2008 Medicaid rates; issued raised are inadequacy, continued use of 1983 base year costs, productivity and efficiency reduction, elimination of 1997/98 trend factor, reserved bed days, PRI policy, RIPAF calculation, administrative and fiscal	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9322	Northwoods at Cortland v. Daines, Francis (Index 103256-08)	Challenge to 2008 Medicaid rates; issued raised are inadequacy, continued use of 1983 base year costs, productivity and efficiency reduction, elimination of 1997/98 trend factor, reserved bed days, PRI policy, RIPAF calculation, administrative and fiscal	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	07/02/2008
9314	Cabrini of Westchester d/b/a St. Cabrini Nursing Home v. Richard F. Daines, Laura F. Anglin	Petitioner us seeking to require the Department to calculate its Medicaid reimbursement rates as if it were a hospital based nursing home notwithstanding that Cabrini Medical Center has closed.	OHSM Reimbursement - Nursing Home	Calwalder Wickersham & Taft		Pending	07/01/2008
9310	Isabella Geriatric Center, Inc. v.	Plaintiff challenges various aspects of the calculation of		Raul Tabora		Pending	06/19/2008

	Richard F. Daines, Laura L. Anglin	its rebased ventilation unit rates.	OHSM Reimbursement - Nursing Home				
9302	Carthage Nursing and Rehabilitation Center, LLC d/b/a Country Manor Nursing and Rehabilitation Centre v. Daines, M.D.	Petitioner is seeking a judgment annulling the Department's determination denying petitioner's Medicaid rate appeals related to the calculation of the return on equity allegedly due to petitioner and directing the Department to process petitioner's rate a	OHSM Reimbursement - Nursing Home	Cornelius D. Murray, Esq., of O'Connell & Aronowitz		Pending	06/11/2008
9244	Greater New York Health Care Facilities Association, et al. v. Daines, et al.	Petitioners, Greater New York Facilities Association and its members, assert that their 2008 Medicaid reimbursement rates violate 42 USC 1396a(a)(30)'s standard that rates be consistent with efficiency, economy and quality of care and are sufficient to re	OHSM Reimbursement - Nursing Home	Allison Kochman		Pending	02/27/2008
9199	Concourse Rehabilitation & Nursing Center, Inc. v. (Novello) Daines (Index 20712/2006) JMN	Plaintiff seeks the payment of recruitment and retention funds from December 2002 onward	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	11/10/2006
9165	Presbyterian Home for Central New York, Inc. v. Richard F. Daines, M.D., as Commissioner of Health of the State of New York and Director of the Budget of the State of New York	Seeking a judgment for DOH to process rate appeals w/o delay; Medicare Part B	OHSM Reimbursement - Nursing Home	Amanda I. FiggsGanter, Esq., of Ruffo, Tabora, Mainello & McKay		Pending	10/15/2007
9152	Robert C. Geer Memorial Hospital, Inc. d/b/a Geer Nursing and Rehabilitation Center v. Daines	Connecticut nursing home is challenging the Medicaid reimbursement rates established by the Department for rate periods commencing January 1, 2002 through December 31, 2006.	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz		Pending	09/26/2007
9149	Baptist Health Nursing and Rehabilitation Center, Inc. v. Daines, Budget	Petitioner is seeking a judgment directing the Department to recalculate and revise petitioner's Medicaid rates to reflect depreciation utilizing a 23-year useful life	OHSM Reimbursement - Nursing Home	Amanda Figgs Ganter, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	08/31/2007
9148	Isabella Geriatric Center, Inc. v. Commissioner of Health of the State of New York and Director of the Budget of the State of New York	Petitioner is seeking a judgment directing the Department to process petitioner's rate appeals without delay; also brings up capital costs issue	OHSM Reimbursement - Nursing Home	Amanda Figgs Ganter, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	08/31/2007
9139	Concourse Rehabilitation and Nursing Center, Inc. v. Richard F. Daines, M.D., Paul E. Francis	Plaintiff challenges an April 30, 2007 determination	OHSM Reimbursement - Nursing Home	Marvin Neiman		Pending	09/07/2007
9111	Northern Manor Multicare Center, Inc., f/k/a Northern Manor Geriatric Center, Inc., v. Daines, et al.	Petitioner seeks to annul various rate revisions following audit resulting from correction of a computer programming error.	OHSM Reimbursement - Nursing Home	Nixon Peabody		Pending	06/29/2007
9107	St. Patrick's Home for the Aged and Infirm v. Commissioner of Health of the State of New York and Director of Budget of the State of New York	Seeking a judgment for DOH to process rate appeal w/o delay and DOH has acted in an arbitrary and capricious manner in not performing its duty of revising Medicare Part B offsets in a prompt manner.	OHSM Reimbursement - Nursing Home	Amanda I. FiggsGanter, Esq., of Ruffo Tabora Mainello & McKay, P.C.		Pending	06/28/2007
9043	Terrence Cardinal Cooke Health Care Center v. Daines, Francis	Plaintiff challenges calculation of 07 Medicaid rates. Issues raised include: use of stale data, reductions	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007

	(Index 102875-07) SGC	across the board, elimination of the 97/98 trend factor, reserved bed days, improper PRI policy, cash assessment, excluding agency and RNs from					
9042	St. Teresa's Nursing Home v. Daines, Francis (Index 102860-07) SGC	Plaintiff challenges the calculations of its 07 Medicaid rates. Issues 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 agency and R	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9041	Palm Tree Nursing Home v. Daines, Francis (Index 102858-07) SGC	Plaintiff challenges the calculation of its 07 Medicaid rates. Issues 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 agency and RN	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9040	Palm Gardens Nursing Home v. Daines, Francis (Index 102859-07)	Plaintiff challenges calculation of 07 Medicaid rates Issued 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 agency and RNs from RI	OHSM Reimbursement - Nursing Home	Brian T. McGovern, Esq., of Cadwalader, Wickersham & Taft LLP		Pending	03/21/2007
9039	Mary Manning Walsh Nursing Home Co., Inc. v. Daines, Francis (Index 102876-07) SGC	Plaintiff challenges the calculations of its 07 Medicaid rates Issues 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 agency and RN	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9038	Kateri Residence v. Daines, Francis ** Index No.: 102868/07	Plaintiff challenges the calculation of its 07 Medicaid rates. Issues 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 agency and RNs	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9037	The Concord Nursing Home, Inc. v. Daines, Francis (Index 102874-07) SGC	Plaintiff challenges the calculation of its 07 Medicaid rates. Issues 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 agncy and RNs	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9036	St. Vincent de Paul Residence v. Daines, Francis	Challenge to 2007 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation and	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007
9035	German Masonic Home Corporation, d/b/a Dumont Masonic Home v. Daines, Francis	Challenge to 2007 Medicaid rates: issues raised are adequacy, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect component calculati	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007
9034	Ferncliff Nursing Home Co., Inc. v. Daines, Francis	Challenge to 2007 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007

		productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, HCRA add-o					
9033	Elant at Brandywine, Inc. v. Daines, Francis	Challenge to 2007 Medicaid rates: issues raised are inadequacy, use of 1983 base year, reduction for productivity, elimination of 97/98 trend factor; reserved bed days, PRI policy; gross receipts assessment; RIPAF calculation; recalibration; return on in	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007
9032	Cedar Manor, Inc. v. Daines, Francis	Challenge to 2007 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation, re	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007
9031	Carmel Richmond Nursing Home v. Daines, Francis	Challenge to 2007 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; A&F cap; ceilings, elimination of 97/98 trend factor; reserved bed days; exclusion of agency and registry nurses; HCRA add-o	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007
9030	Bayberry Nursing Home v. Daines, Francis	Challenge to 2007 Medicaid rates; issued raised are inadequacy, continued use of 1983 base, reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, i	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	03/21/2007
9028	Methodist Church Home for the Aged v. Daines	Plaintiff challenges the calculation of its 2007 Medicaid rates. Issues raised include, stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits, cash receipts assessment, reimbursement for HCRA mandat	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9027	King Street Home, Inc. v. Daines	Plaintiff challenges the calculation of tis 2007 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	03/21/2007
9026	Glen Arden, Inc. v. Daines	Challenge to 2007 rates, issues include: stale base year data, productivity & efficiency reduction, PRI policy, cash assessments, ceilings, 97/98 trend factor, reserved bed days, RIPAF calculations, A&F Cap as HCRA expenditures	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	03/21/2007
9025	Elant at Goshen, Inc. v. Daines	Plaintiff challenges the calculation of tis 2007 Medicaid rates . Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	03/21/2007
9024				David Bernfeld, Esq.		Pending	03/21/2007

	New Sans Souci Nursing Home v. Daines	Plaintiff challenges the calculation of its 2007 Medicaid rates. Issues 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 mandate	OHSM Reimbursement - Nursing Home				
9023	Elant at Newburgh, Inc. v. Daines	Plaintiff challenges the calculation of its 2007 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	03/21/2007
9015	Greater New York Health Care Facilities Association, et al. v. Daines, et al.	Petitioners, Greater New York Facilities Association and its members, assert that their 2007 Medicaid reimbursement rates violate 42 USC 1396a(a)(30)'s standard that rates be consistent with efficiency, economy and quality of care and are sufficient to re	OHSM Reimbursement - Nursing Home	Allison Kochman		Pending	03/01/2007
8951	Concourse Rehabilitation & Nursing Center, Inc. v. Novello, individually and as Commissioner	Plaintiff is seeking a declaratory judgment that DOH's determination on 7/14/06 is arbitrary & capricious and unlawful and DOH should return \$300,000 recouped from Medicaid payments plus interest thereon from 10/1996.	OHSM Reimbursement - Nursing Home	Marvin Neiman, Esq., of Neiman Ginsburg & Mairanz P.C.		Pending	11/14/2006
8941	Concourse Rehabilitation & Nursing Center v. Novello, Van Guysling	Civil rights action challenging a determination issued on June 28, 2006 pertaining to gross receipts assessments due for the period commencing January 1, 2003.	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz, P.C.		Pending	10/26/2006
8940	SS. Joachim & Anne Residence v. Novello	Petitioner seeks to require the Department to process its Medicaid rate appeals seeking correction of the Medicare Part B offset	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainvello & McKay, P.C.		Pending	10/25/2006
8917	Brandywine Nursing Home, Inc. v. Novello	Challenge to the audit results of plaintiff's patient review instrument submissions.	OHSM Reimbursement - Nursing Home	Bernfeld, Dematteo & Bernfeld, LLP		Pending	09/05/2006
8891	Charles Glessing d/b/a Hutton Nursing Home v. The New York State Department of Health	Petitioner seeks to annul the Department's determination to recoup proceeds of the revision of Hutton Nursing Homes 1995-1997 Medicaid rates pursuant to the St. James Nurish Home decision to pay for overpayments and unpaid cash receipt assessments during	OHSM Reimbursement - Nursing Home	McNamee, Lochner, Titus & Williams, P.C.		Pending	01/19/2006
8873	Terrence Cardinal Cooke Health Care Center v. Novello and Stone (New York County)	Plaintiff challenges the calculation of its 06 Medicaid rates. Issues 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 agency and RNs	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8872	St. Teresa's NH v. Novello and Stone (Orange County)	Plaintiff challenges the calculation of its 06 Medicaid rates. Issues 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 agency and RNs	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8871		Plaintiff challenges the calculation of its 06		David Bernfeld, Esq.		Pending	06/15/2006

	Palm Tree NH v. Novello and Stone (Kings County)	Medicaid rates. Issues 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 agency and RNs	OHSM Reimbursement - Nursing Home				
8870	Palm Gardens NH v. Novello and Stone (Kings County)	Plaintiff challenges the calculation of its 06 Medicaid rates. Issues 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 agency and RNs	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8869	Mary Manning Walsh NH v. Novello and Stone (New York County)	Plaintiff challenges the calculation of its 06 Medicaid rates. Issues 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 agency and RNs	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8868	Kateri Residence v. Novello and Stone (New York County)(Appellate Division)(Court of Appeals)** (Index No. 102836/06) SGC *Active*	Plaintiff challenges the calculation of its 06 Medicaid rates. Issues 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 agency and RN	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8867	The Concord Nursing Home, Inc. v. Novello and Stone (Kings County)	Plaintiff challenges the calculation of its 06 Medicaid rates. Issues raised include: use of stale data, reductions across the board, elimination of the 97/98 trend factor, reserved bed days, improper RPI policy, cash assessment, excluding agency and R	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8862	German Masonic Home Corp. d/b/a Dumont Masonic Home v Novello, Stone	Challenge to 2006 Medicaid rates: issues raised are adequacy, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect component calculation	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/15/2006
8861	Elant at Brandywine, Inc. v Novello, Stone	Challenge to 2006 Medicaid rates: issues raised are inadequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, group receipts assessment, RIPAF calculation, reclaibration, return on investm	OHSM Reimbursement - Nursing Home	DeMatteo & Bernfeld, LLP		Pending	06/15/2006
8860	Cedar Manor, Inc. v. Novello, Stone	Challenge to 2006 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation, ret	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/15/2006
8859	Ferncliff Nursing Home Co. Inc. v. Novello, Stone	Challenge to 2006 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, HCRA add-on	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/15/2006
8858						Pending	06/15/2006

	Carmel Richmond Nursing Home v. Novello, Stone	Challenge to 2006 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; A&F cap; ceilings, elimination of 1997/98 trend factor; reserved bed days; exclusion of agency and registry nurses; HCRA add-	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld LLP			
8857	Bayberry Nursing Home v. Novello, Stone	Challenge to 2006 Medicaid rates; issues raised are inadequacy, continued use of 1983 base reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, in	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld LLP		Pending	06/15/2006
8856	St. Vincent de Paul Residence v. Novello, Stone	Challenge to 2006 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation and	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld		Pending	06/15/2006
8854	King Street Home, Inc. v. Novello, Stone (Westchester County)	Plaintiff challenges the calculation of its 2006 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8853	Methodist Church Home for the Aged v. Novello, Stone (Bronx County)	Plaintiff challenges the calculation of its 2006 Medicaid rates. Issues raised include, stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits, cash receipts assessment, reimbursement fo HCRA mandate	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8852	Ramapo Manor Nursing Center, Inc. v. Novello, Stone (Rockland County)	Plaintiff challenges the calculation of its 2006 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8851	New Sans Souci Nursing Home v. Novello, Stone	Plaintiff challenges the calculation of its 2006 Medicaid rates. Issues 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 mandates,	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/15/2006
8850	Elant at Newburgh, Inc. v. Novello, Stone (Orange County)	Plaintiff challenges the calculation of its 2006 Medicaid rates. Issues 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 mandates	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/15/2006
8849	Elant at Goshen, Inc. v. Novello, Stone (Orange County)	Plaintiff challenges the calculation of its 2006 Medicaid rates. Issues raised include stale data,	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/15/2006

		adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits, cash receipts assessment, reimbursement of HCRA mandates,					
8848	Glen Arden, Inc. v. Novello, Stone (Orange County)	Challenge to 2006 rates; issues include: stale base year data, productivity & efficiency reduction, PRI policy; cash assessments; ceilings, 97/98 trend factor, reserved bed days, RIPAF calculations, A & F Cap as HCRA expenditures.	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/15/2006
8789	Greater New York Health Care Facilities Association, et al. v. Novello, et al.	Petitioners, Greater New York Facilities Association and its members, assert that their 2006 Medicaid reimbursement rates violate 42 USC 1396a(a)(30)'s standard that rates be consistent with efficiency, economy and quality of care and are sufficient to re	OHSM Reimbursement - Nursing Home	Allison Kochman		Pending	02/23/2006
8768	Incarnation Children's Center v. Novello	Petitioner, a pediatric AIDS nursing facility, seeks to annul the calculation of its cost based Medicaid rates and to require the Department to provide it with relief from the administrative and fiscal services cost cap and the administrator's salary cell	OHSM Reimbursement - Nursing Home	Ruffo, Tobin, Mainello & McKay, P.C.		Pending	01/17/2006
8767	Horizon Care Center as the d/b/a of Ocean Gardens Nursing Facility, Inc. v. Novello, Director of the Budget	Plaintiff challenges the use of an HRF roll factor in the computation of its 2006 Medicaid rate.	OHSM Reimbursement - Nursing Home	Ruffo, Tabora, Mainello & McKay, P.C.		Pending	01/17/2006
8753	Highbridge-Woodcrest Center, Inc. v. Novello	Petitioner is seeking to require the recalculation of its rates for 1992 through 2005 asserting the rates are inadequate to meets its costs, that its base period costs do not include all necessary costs to provide care to its residents suffering from AIDS	OHSM Reimbursement - Nursing Home	Ruffo Tabora Mainello & McKay, P.C.		Pending	12/28/2005
8676	New York Association of Homes and Services for the Aging, John J. Foley Skilled Nursing Facility v. Novello, et al.	Plaintiffs challenge provisions of the 2005-2006 state budget extending various Medicaid cost control measures including the administrative and fiscal services cost cap, the \$56 million reduction to encourage efficiency and economy and adjustments to the	OHSM Reimbursement - Nursing Home	Cadwalader Wickersham & Taft		Pending	08/18/2005
8675	New York Association of Homes and Services for the Aging, John J. Foley Skilled Nursing Facility v. Novello, et al.	Petitioners challenge provisions of the 2005-2006 state budget extending various Medicaid cost control measures including the administrative and fiscal services cost cap, the \$56 million reduction to encourage efficiency and economy and adjustments to the	OHSM Reimbursement - Nursing Home	Cadwalader Wickersham & Taft		Pending	08/18/2005
8653	Terence Cardinal Cooke Health Care Center v. Novello, Stone	Challenge to 2005 Medicaid Rates: Issues raised include Omnibus Budget Reconciliation Act of 1987, adequacy, use of stale data, reductions to encourage productivity & efficiency, elimination of 97-98 trend factor, reserved bed days, improper PRI policy,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8652	St. Teresa's Nursing Home, Inc. v. Novello, Stone	Challenge to 2005 Medicaid Rates: Issues raised include: Omnibus Budget Reconciliation Act of 1987, adequacy, use of stale data,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005

		reductions to improve productivity & efficiency, elimination of 97-98 trend factor, reserved bed days, improper PRI policy,					
8651	Palm Tree Nursing Home v. Novello, Stone	Challenge to 2005 Medicaid Rates: Issues raised include Omnibus Budget Reconciliation Act of 1987, adequacy, use of stale data, reductions for productivity & efficiency, elimination of 97-98 trend factor, reserved bed days, improper PRI policy, cash asse	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8650	Palm Gardens Nursing Home v. Novello, Stone	Challenge to 2005 Medicaid Rates: issues raised include Omnibus Budget Reconciliation Act of 1987, adequacy, use of stale data, reductions for productivity & efficiency, elimination of 97-98 trend factor reserved bed days, improper PRI policy, RIPAF or WE	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8649	Kateri Residence v. Novello, Stone	Challenge to 2005 Medicaid Rates: Issues raised include adequacy, omnibus budget reconciliation act of 1987, use of stale data, reductions for productivity & efficiency, elimination of 97/98 trend factor, improper PRI policy, cash assessment, RIPAF & WEF	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8648	Mary Manning Walsh Nursing Home Co., Inc. v. Novello, Stone	Challenge to 2005 Medicaid Rates: Issues raised include adequacy, use of stale data, reductions, elimination of 97/98 trend factor, reserved bed days, improper PRI policy, cash assessment, RIPAF & WEF computations, improper use of grouping & outdated bas	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8646	The Concord Nursing Home, Inc. v. Novello, Stone	Challenge to 2005 Medicaid Rates: Issues raised include adequacy, omnibus budget reconciliation of 1987, use of stale data, reductions, elimination of 97/98 trend factor, reserved bed days, improper PRI policy, cash assessment, RIPAF & WEF computations,	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8644	Bayberry Nursing Home v. Novello, Stone	Challenge to 2005 Medicaid rates; issues raised are inadequacy, continued use of 1983 base, reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, i	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8643	Carmel Richmond Nursing Home v. Novello, Stone	Challenge to 2005 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; A&F cap; ceilings	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8642	St. Vincent de Paul Residence v. Novello, Stone	Challenge to 2005 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation and	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld		Pending	06/24/2005
8641	Ferncliff Nursing Home Co., Inc. v. Novello, Stone	Challenge to 2005 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005

		calculation, recalibration, A&F cap, HCRA add-o					
8640	Cedar Manor, Inc. v. Novello, Stone	Challenge to 2005 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation, re	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8639	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Novello, Stone	Challenge to 2005 Medicaid rates: issues raised are adequacy, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect component calculati	OHSM Reimbursement - Nursing Home	Bernfeld, DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8638	Brandywine Nursing Home, Inc. v. Novello, Stone	Challenge to 2005 Medicaid rates: issues raised are inadequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, return on investm	OHSM Reimbursement - Nursing Home	DeMatteo & Bernfeld, LLP		Pending	06/24/2005
8637	Glen Arden, Inc. v. Novello, Stone	Challenge to 2005 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; ceilings	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2005
8636	Elant at Goshen, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2005 Medicaid rates. Issues raised include rebasing, stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, re	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2005
8635	Elant at Newburgh, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2005 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits and therapy services, cash receipts assessment, reimburse	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2005
8634	New Sans Souci Nursing Home v. Novello, Stone	Plaintiff challenges the calculation of its 2005 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assesment, reimburse	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/24/2005
8633	Ramapo Manor Nursing Center, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2005 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assesment, reimburse	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2005
8632	Methodist Church Home for the Aged v. Novello, Stone	Plaintiff challenges the calculation of its 2005 Medicaid rates. Issues raised include, rebasing stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days,	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/25/2005

		PRI audits of therapy services, cash receipts assessment,					
8631	King Street Home, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2005 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	Bernfeld DeMatteo & Bernfeld		Pending	06/24/2005
8571	Greater New York Health Care Facilities Association, et al., v. Novello, et al.	Petitioners, Greater New York Facilities Association and its members, assert that their 2005 Medicaid reimbursement rates violate 42 USC 1396a(a)(30)'s standard that rates be consistent with efficiency, economy and quality of care and are sufficient to re	OHSM Reimbursement - Nursing Home	Kirandeep Madra		Pending	03/02/2005
8556	Concourse Rehabilitation & Nursing Center, Inc. v. Novello, Cape	Challenge to 2005 Medicaid reimbursement rates	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz, P.C.		Pending	01/26/2005
8525	Willoughby Rehabilitation and Health Care Center, LLC v. Novello, Gill	Challenge to revised Medicaid reimbursement rates issued on July 24, 2004, to implement a PRI audit.	OHSM Reimbursement - Nursing Home	Hamburger, Maxson, Yaffe, et al.		Pending	12/06/2004
8466	Lakeside Nursing Home, Inc.	Chapter 11 bankruptcy	OHSM Reimbursement - Nursing Home			Pending	05/15/2003
8434	Elant at Newburgh, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2004 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2004
8433	Elant at Goshen, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2004 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2004
8432	Ramapo Manor Nursing Center, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2004 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2004
8431	Methodist Church Home for the Aged v. Novello, Stone	Plaintiff challenges the calculation of its 2004 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/25/2004
8430	New Sans Souci Nursing Home v. Novello, Stone	Plaintiff challenges the calculation of its 2004 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash	OHSM Reimbursement - Nursing Home	David Bernfeld, Esq.		Pending	06/24/2004

		receipts assessment, reimbursement					
8429	King Street Home, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2004 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	David Bernfeld		Pending	06/24/2004
8427	St. Vincent de Paul Residence v. Novello, Stone	Challenge to 2004 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation and	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/25/2004
8426	Carmel Richmond Nursing Home v. Novello, Stone	Challenge to 2004 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; A&F cap; ceilings	OHSM Reimbursement - Nursing Home	David B Bernfeld		Pending	06/25/2004
8425	St. Teresa's Nursing Home v. Novello, Stone	Challenge to 2004 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; ceilings	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/25/2004
8424	Palm Tree Nursing Home v. Novello, Stone	Challenge to 2004 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; ceilings	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8423	Palm Garden Nursing Home v. Novello, Stone	Challenge to 2004 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; ceilings	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8422	Kateri Residence v. Novello, Stone	Challenge to 2004 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; ceilings	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8421	Glen Arden, Inc. v. Novello, Stone	Challenge to 2004 rates; issues include: stale base year data, productivity & efficiency reduction; PRI policy; cash assessments; ceilings	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8420	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Novello, Stone	Challenge to 2004 Medicaid rates: issues raised are adequacy, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect component calculation	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8419	Ferncliff Nursing Home Co., Inc. v. Novello, Stone	Challenge to 2004 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, HCRA add-o	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8418	Cedar Manor, Inc. v. Novello, Stone	Challenge to 2004 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation, re	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	06/24/2004
8417				David B. Bernfeld		Pending	06/24/2004

	Brandywine Nursing Home, Inc. v. Novello, Stone	Challenge to 2004 Medicaid rates: issues raised are inadequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, return on investm	OHSM Reimbursement - Nursing Home				
8416	Bayberry Nursing Home v. Novello, Stone	Challenge to 2004 Medicaid rates; issues raised are inadequacy, continued use of 1983 base, reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, i	OHSM Reimbursement - Nursing Home	David R. Bernfeld		Pending	06/24/2004
8358	Concourse Rehabilitation & Nursing Center, Inc. v. Novello, Stone	Challenge to 2004 Medicaid reimbursement rates on unspecified grounds.	OHSM Reimbursement - Nursing Home	Neiman Ginsburg Maranz, P.C.		Pending	03/22/2004
8338	Summit Park Hospital/Rockland County Infirmary v. Novello, Stone	Challenge to 2004 Medicaid rates on grounds of inadequacy, use of stale data, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, indirect cost componen	OHSM Reimbursement - Nursing Home	Nixon Peabody LLP		Pending	03/02/2004
8337	Greater New York Health Care Facilities Association o/b/o 75 listed members v. Novello, Wing, Johnson & Stone	Challenge to 2004 rates, raising various methodoligical issues, all reasied in prior litigation with same organization (See #8091 and prior)	OHSM Reimbursement - Nursing Home	Thomas J. Cone		Pending	03/02/2004
8334	Southern New York Association, Inc. v. Novello, Stone	Challenge to base price reduction as applied to 2004 nursing home Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP		Pending	02/27/2004
8329	Willoughby Rehabilitation and Health Care Center, LLC, v. State of New York	Notice of Intention to File a Claim for damages for fraud, fraudulent inducement breach of contract and unjust enrichment arising from audit of neurobiological program patient review instruments.	OHSM Reimbursement - Nursing Home	Lane T. Maxson - Hamburger, Maxson, Yaffe, Wishod & Knauer, LLP		Pending	02/24/2004
8293	German Masonic Home Corporation d/b/a Dumont Masonic Home v. Novello, Stone	Challenge to the effective date of rebased Medicaid rates and to the computation of those rebased rates on several methodological grounds.	OHSM Reimbursement - Nursing Home	David B. Bernfeld, Esq.		Pending	12/31/2003
8267	Brandywine Nursing Home, Inc. v. Novello, Stone	Challenge to denial of an appeal for rebasing.	OHSM Reimbursement - Nursing Home	David B. Bernfeld		Pending	10/14/2003
8258	New York Association of Homes and Services for the Aging, John J. Foley Skilled Nursing Facility v. Novello, et al.	Petitioners challenge provisions of the 2003-2004 state budget extending various Medicaid cost control measures including the administrative and fiscal services cost cap, the \$56 million reduction to encourage efficiency and economy and adjustments to the	OHSM Reimbursement - Nursing Home	Cadwalader Wickersham & Taft		Pending	09/18/2003
8207	Concourse Rehabilitation and Nursing Center, Inc. v. Novello, Van Guysling	Challenge to recoupment of cash assessment with interest and penalties.	OHSM Reimbursement - Nursing Home	Marvin Neiman, Neiman, Ginsburg & Marranz, P.C.		Pending	07/03/2003
8176	Amsterdam Nursing Home Corp. (1992) v. Novello, Osten, Stone	Challenge to computation of rebased rates, which do not include a trend factor for 4/1/96-3/31/97.	OHSM Reimbursement - Nursing Home	Peter Bergmann - Cadwalader, Wickersham & Taft LLP		Pending	05/19/2003
8137	Concourse Rehabilitation & Nursing Center,	Challenge to 2002 and/or 2003 Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Neiman Ginsberg & Mairanz, P.C.		Pending	03/21/2003

	Inc. v. Novello, Stone						
8133	Palm Tree Nursing Home v. Novello, Stone	Challenge to 2003 rates on various grounds. See #7852, 7536, 7253 for prior cases.	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8132	Palm Gardens Nursing Home v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, use of 1983 base year costs, productivity and efficiency adjustment, trend factor freeze, reserved bed days, PRI policy, gross receipts adjustment, RIPAF calculation, recalibration, return on investment	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8131	Kateri Residence v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, use of 1983 base year costs, productivity and efficiency adjustment, trend factor freeze, reserved bed days, PRI policy, gross receipts assessment, RIPAF, recalibration, HCRA mandates. See #7849, 7550	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8130	The Concord Nursing Home, Inc. v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, use of 1983 base year costs, productivity and efficiency adjustment, trend factor freeze, reserved bed days, PRI policy, gross receipts assessment, recalibration, ripaf calculation, indirect component	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8129	Carmel Richmond Nursing Home, Inc. v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, use of 1983 base year costs, productivity and efficiency adjustment, trend factor freeze, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration. See #7850, 7547 &	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8128	St. Teresa's Nursing Home, Inc. v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, use of 1983 base year costs, productivity and efficiency reduction, trend factor freeze, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, administrative and f	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8127	Mary Manning Walsh Nursing Home Co., Inc. v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, 1983 base year, productivity and efficiency adjustment, trend factor freeze, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, indirect cost ceiling, HCRA man	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8126	Glen Arden, Inc. v. Novello, Stone	Challenge to 2003 rates on various grounds: adequacy, productivity and efficiency adjustment, trend factor freeze, reserved bed days, patient review instrument policy, gross receipts assessment, RIPAF calculation, administrative and fiscal services cost c	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8125	Ferncliff Nursing Home Co., Inc. v. Novello, Stone	Challenge to 2003 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, HCRA add-o	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8124						Pending	03/13/2003

	Brandywine Nursing Home, Inc. v. Novello, Stone	Challenge to 2003 Medicaid rates: issues raised are inadequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, return on investm	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.			
8123	Bayberry Nursing Home v. Novello, Stone	Challenge to 2003 Medicaid rates; issues raised are inadequacy, continued use of 1983 base, reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, i	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8122	Cedar Manor, Inc. v. Novello	Challenge to 2003 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation, re	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8121	St. Vincent de Paul Residence v. Novello	Challenge to 2003 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation and	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8120	Summit Park Hospital/Rockland County Infirmary v. Novello, Stone	Challenge to 2003 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8119	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Novello	Challenge to 2003 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/13/2003
8118	Ramapo Manor Nursing Center, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursem	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003
8117	King Street Home, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursem	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003
8116	Elant at Goshen, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003

		therapy services, cash receipts assessment, reimbursement					
8115	Elant at Newburgh, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003
8114	Methodist Church Home for the Aged v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003
8113	Skyview Haven Nursing Home, Inc. v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003
8111	New Sans Souci Nursing Home v. Novello, Stone	Plaintiff challenges the calculation of its 2003 Medicaid rates. Issues raised include stale data, adjustment to encourage efficiency and economy, 97/98 trend factor, reserved bed days, PRI audits of therapy services, cash receipts assessment, reimbursement	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/13/2003
8098	New East Side Nursing Home, LLC v. Novello, Stone	Petitioner seeks reimbursement for real estate taxes in its 2002 and subsequent Medicaid rates.	OHSM Reimbursement - Nursing Home	Duane Morris LLP		Pending	03/05/2003
8091	Greater New York Health Care Facilities Association on behalf of 75 listed members v. Novello, Wing, Johnson, Stone	Challenge to nursing home rates for 2003 citing violations of 42 USC sec. 1396 in developing the rates and alleging specific components of the methodology, including recalibrations, base price reduction, cash receipts assessment as producing inadequate rates	OHSM Reimbursement - Nursing Home	Thomas J. Cone Carolyn B. Polito		Pending	02/25/2003
8059	Faxton Sunset St. Luke's Health Care Center, Inc., d/b/a Heritage Health Care Center; v. Commissioner of Health, Director of the Budget	Challenge to denial of rebasing request.	OHSM Reimbursement - Nursing Home	Raul Tabora, Jr., Tobin & Dempf, LLP		Pending	01/03/2003
8041	Isabella Geriatric Center, Inc. v. Commissioner of Health, Director of Budget	Challenge to calculation of nursing adjustment, 1998 and forward	OHSM Reimbursement - Nursing Home	John F. McKay III, Tobin and Dempf, LLP		Pending	12/03/2002
8034	Rochester Friendly Home d/b/a The Friendly Home	Plaintiff seeks to annul the denial of its Medicaid rate appeal which requested rebasing of its 2000 and subsequent Medicaid reimbursement rates due to construction and renovation.	OHSM Reimbursement - Nursing Home	Nixon Peabody LLP		Pending	11/19/2002
8007	Project Samaritan AIDS Services, Inc.	Negotiate settlement of retroactive rate revisions.	OHSM Reimbursement - Nursing Home	Robert Belfort, Kalkines, Arky, Zall & Bernstein, LLP		Pending	08/01/2002
7994	Isabella Geriatric Center, Inc. v. Commissioner of Health	Petitioner is seeking to annul a rate determination which it asserts improperly	OHSM Reimbursement - Nursing Home	Tobin & Dempf		Pending	09/13/2002

		inputs days of care to the calculation of its rates.					
7948	Jewish Home and Hospital/ Bronx Division - Harry and Jeanette Weinberg Campus, f/k/a W.K. Nursing Home Corporation v. Commissioner of Health of the State of New York and The Director of the Budget of the State of New York	Challenge to denial of request to rebase operating component using 12 month cost report following completion of expansion and renovation project.	OHSM Reimbursement - Nursing Home	Eli D. Greenberg- Wolf, Haldenstein, Adler, Freeman & Herz, LLP Raul Tabora - Tobin & Dempf		Pending	07/01/2002
7930	Miriam Osborn Memorial Home v. Novello, Osten, McCall, Stone	Challenge to 6% assessment or gross receipts imposed by HCRA 2002.	OHSM Reimbursement - Nursing Home	Cadwalader, Wickersham & Taft		Pending	05/31/2002
7887	Valley Health Services, Inc. v. State of New York	Challenge to the constitutionality of the assessment on gross receipts.	OHSM Reimbursement - Nursing Home	Tobin & Dempf		Pending	07/08/2002
7873	Methodist Church Home for the Aged v. Novello, et al.	Plaintiff challenges the calculation of its 2002 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, PRI adjustme	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7872	Eastchester Park v. Novello, et al.	Article 78 proceeding seeking recalculations of medicaid reimbursement rates for nursing facility for year 2002.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld		Pending	03/07/2002
7871	Split Rock N.H. v. Novello	Article 78 proceeding seeking recalculations of Medicaid reimbursement rates for nursing facility for year 2002.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7870	Ramapo Manor Nursing Center, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2002 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, PRI adjustme	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7869	King Street Home, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2001 (2002?) Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, PRI adjustme	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7868	Skyview Haven Nursing Home, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2002 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, PRI adjustme	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7867	New Sans Souci Nursing Home v. Novello, et al.	Plaintiff challenges the calculation of its 2002 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, PRI adjustme	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002

7866	Brandywine Nursing Home, Inc. v. Novello, Stone	Challenge to 2002 Medicaid rates: issues raised are inadequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, return on investm	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7865	Ferncliff Nursing Home Co., Inc. v. Novello, Stone	Challenge to 2002 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7864	St. Vincent de Paul Residence v. Novello	Challenge to 2002 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation and	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7863	Cedar Manor, Inc. v. Novello	Challenge to 2002 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, indirect component calculation, re	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7862	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Novello	Challenge to 2002 Medicaid rates: issues raised are adequacy, use of 1983 base, reduction for productivity, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, indirect c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7861	Bayberry Nursing Home v. Novello, Stone	Challenge to 2002 Medicaid rates: issues raised are inadequacy, continued use of 1983 base, reduction for efficiency, elimination of 97/98 trend factor, reserved bed days, PRI policy, gross receipts assessment, RIPAF calculation, recalibration, A&F cap, i	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7855	Concourse Rehabilitation & Nursing Center, Inc. v. Novello, Stone	Challenge to 2002 Medicaid rate on unspecified grounds	OHSM Reimbursement - Nursing Home	Nerman, Ginsburg & Mairanz P.C.		Pending	03/04/2002
7853	Palm Gardens Nursing Home v. Novello, Stone (See #7251 & #7535)	Challenge to 2002 Medicaid rates - issues include stale data, reserved bed days, cash assessment, improper PRI policy.	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7852	Palm Tree Nursing Home v. Novello, Stone	Challenge to 2002 Medicaid rates - issues include stale data, reserved bed days, cash assessment, improper PRI policy.	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7851	Concord Nursing Home, Inc. v. Novello, Stone	Challenge to 2002 Medicaid rates - issues include stale data, reserved bed days, cash assessment, improper PRI policy.	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7850	Carmel Richmond Nursing Home v. Novello, Stone	Challenge to 2002 Medicaid rates - issues include stale data, reserved bed days, cash assessment, improper PRI policy.	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7849	Kateri Residence v. Novello, Stone	Challenge to 2002 Medicaid rates - issues include stale data, reserved bed days, cash assessment, improper PRI policy.	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002

7848	Lyden Nursing Home v. Novello, Stone	Challenge to 2002 Medicaid rates - issues include stale data, reserved bed days, cash assessment, improper PRI policy.	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/07/2002
7847	Presbyterian Home for Central New York, Inc. v. Commissioner of Health, Director of Budget	Challenge to rejection of rebasing appeal and to calculation of bed conversion schedule	OHSM Reimbursement - Nursing Home	Raul Tabora, Tobin & Dempf		Pending	03/06/2002
7840	Greater New York Health Care Facilities Association o/b/o listed members v. Novello, Wing, Johnson, Stone	Challenge to 2002 rates claiming the methodology violates federal law and regulations, citing as specific examples, recalibration, base price reduction, WEF, ceilings, cash receipts assessments and others.	OHSM Reimbursement - Nursing Home	Thomas Cone & Nadine Smith		Pending	02/26/2002
7814	Logan & Logan d/b/a Cedar Lodge Nursing Home v. Novello, Stone	Challenge to audit of 4/97 PRIs; dispute centers on physical therapy controversies.	OHSM Reimbursement - Nursing Home	Ross Lanzafame, Harter, Secret & Emery LLP		Pending	12/31/2001
7766	Terence Cardinal Cooke Health Care Center v. Novello	Article 78 proceeding to enjoin rate reduction made retroactively to correct previous error.	OHSM Reimbursement - Nursing Home	O'Connell and Aronowitz		Pending	11/02/2001
7732	Our Lady of Hope Residence v. Novello	Article 78 challenging reduction of 1990-92 rates due to audit adjustment in number of beds	OHSM Reimbursement - Nursing Home	Cornelius D. Murry, Esq. O'Connell and Aronowitz		Pending	10/05/2001
7693	Bethany Nursing Home & Health Related Facility, Inc. v. Novello	Challenge to retroactive adjustment of IPAF in violation of settlements made in 1995 and 1996.	OHSM Reimbursement - Nursing Home	Raul Tabora Tobin & Dempf		Pending	08/20/2001
7639	Concourse Rehabilitation of Nursing Center, Inc. and concourse Nursing Home v. Novello, Foundation for Quality Medical Care (Index 16697-01) JMN	Challenge to PRI audits. See #6448 for related federal case.	OHSM Reimbursement - Nursing Home	Marvin Neiman, Esq. Neiman Ginsburg & Mairanz P.C.		Pending	06/01/2001
7615	Sky View Haven Nursing Home, Inc. d/b/a Sky View Health Care Center v. Novello, DOH	Challenge to PRI audits of April 1998 and October 1998 submissions.	OHSM Reimbursement - Nursing Home	Mark A. Hartman, Esq. Nixon Peabody LLP		Pending	05/10/2001
7555	Eastchester Park v. Novello, et al.	Article 78 proceeding seeking recalculations of medicaid reimbursement rates for nursing facility for year 2001.	OHSM Reimbursement - Nursing Home	David B. Bernfeld Skolnick, Hochberg & Bernfeld		Pending	03/13/2001
7554	St. Vincent de Paul Residence v. Novello, et al.	Article 78 proceeding seeking recalculations of Medicaid reimbursement rates for nursing facility for year 2001.	OHSM Reimbursement - Nursing Home	David B. Bernfeld Skolnick, Hochberg & Bernfeld		Pending	03/13/2001
7552	Split Rock N.H. v. Novello	Article 78 proceeding seeking recalculations of Medicaid reimbursement rates for nursing facility for year 2001.	OHSM Reimbursement - Nursing Home	David B. Bernfeld Skolnick, Hochberg & Bernfeld		Pending	03/09/2001
7550	Kateri Residence v. Novello, Stone - See #6976 for 1999 case	Challenge to 2001 Medicaid rate issues: stale data, productivity & efficiency reduction, trend factor elimination, reserved bed days, calculation of RIPAF and WEF without agency nurses, recalibration, administrative appeal issues.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - David B. Bernfeld		Pending	03/09/2001
7549	Lyden Nursing Home v. Novello, Stone	Challenge to 2001 rates: various issues including salary ceilings, return on investment, direct base reduction, reserved bed days.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - David Bernfeld		Pending	03/09/2001
7548	The Concord Nursing Home, Inc. v. Novello, Stone	Challenge to 2001 rates on various grounds including use of stale data, recalibration, indirect ceiling and reserved bed days.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - David B. Bernfeld		Pending	03/09/2001

7547	Carmel Richmond Nursing Home, Inc. v. Novello, Stone - See #6982 for 1999 case	Challenge to 2001 rates on various issues including stale data, the direct ceiling and indirect base reduction, productivity & efficiency, recalibration and elimination of the 1997/98 trend factor.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - David Bernfeld		Pending	03/09/2001
7545	Brandywine Nursing Home, Inc. v. Novello, Stone	Challenge to overall adequacy of 2001 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, return	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7544	Ferncliff Nursing Home Co., Inc. v. Novello, Stone	Challenge to overall adequacy of 2001 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, A & F c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7543	Bayberry Nursing Home v. Novello, Stone	Challenge to overall adequacy of 2001 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, A & F f	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7542	Cedar Manor, Inc. v. Novello, Stone	Challenge to overall adequacy of 2001 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, return on investment a	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7541	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Novello, Stone	Challenge to overall adequacy of 2001 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, A & F c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7540	New Sans Souci Nursing Home v. Novello, et al.	Plaintiff challenges the calculation of its 2001 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7539	King Street Home, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2001 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7538	Skyview Haven Nursing Home, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2001 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001

7537	Ramapo Manor Nursing Center, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2001 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2001
7536	Palm Tree Nursing Home v. Novello, Stone	Challenge to 2001 rates on various grounds including use of stale data, rate of return on investment and real property equity, salary ceilings for operator and relatives and the administrative fiscal services cap.	OHSM Reimbursement - Nursing Home	David B. Bernfeld - Skolnick, Hochberg & Bernfeld		Pending	03/09/2001
7535	Palm Gardens Nursing Home v. Novello, Stone	Challenge to 2001 rates on various grounds including the productivity and efficiency reduction, recalibration, use of improper grouping and outdated base year in calculating the indirect price, operator & relatives' salary ceiling and the rate of return o	OHSM Reimbursement - Nursing Home	David B. Bernfeld - Skolnick, Hochberg & Bernfeld		Pending	03/09/2001
7522	Greater New York Health Care Facilities Association 71 members v. Novello, Wing, Stone, Johnson	Challenge to 2001 Medicaid rated methodology reimbursement is too low. Specifically mentioned are: recalibration, WEF, base price reduction, RIPAF, cash receipts assessments and others. They also claim a lack of empirical studies and seek a declaration	OHSM Reimbursement - Nursing Home	Thomas J. Cone - Evelyn Huaug		Pending	02/28/2001
7501	Concourse Rehabilitation and Nursing Center, Inc. v. Novello, Woodworth	Challenge to 2001 Medicaid rate on unspecified grounds	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz P.C.		Pending	02/01/2001
7380	Hillside Manor Nursing Center, Hudson Valley Nursing Center v. Novello, et al.	Petitioners are seeking to declare unconstitutional and illegal and enjoin several provisions of HCRA Law and Chapter 59 of the Laws of 2000, as they apply to the computation of nursing home Medicaid reimbursement rates. Challenged provisions include the	OHSM Reimbursement - Nursing Home	Cadwalder Wickershan Taft		Pending	08/03/2000
7352	Concourse Rehabilitation Nursing Center, Inc. v. Novello	Challenge to recoupment of nursing home assessment arrears; claim of entitlement to benefit of amnesty and return of any monies recouped in excess of principal amount.	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz, P.C.		Pending	07/17/2000
7272	King Street Home, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2000 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7271	New Sans Souci Nursing Home v. Novello, et al.	Plaintiff challenges the calculation of its 2000 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7270	Ramapo Manor Nursing Center, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2000 Medicaid reimbursement rates and raises the	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000

		following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE					
7269	Skyview Haven Nursing Home, Inc. v. Novello, et al.	Plaintiff challenges the calculation of its 2000 Medicaid reimbursement rates and raises the following issues: adequacy of reimbursement, stale data, reductions to encourage efficiency and productivity, 97/98 trend factor, reserved bed days, RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7268	Ferncliff Nursing Home Co., Inc. v. Novello, Stone	Challenge to overall adequacy of 2000 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, A & F c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7267	Bayberry Nursing Home v. Novello, Stone	Challenge to overall adequacy of 2000 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, A & F f	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7265	Cedar Manor, Inc. v. Novello, Stone	Challenge to overall adequacy of 2000 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, return on investment a	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7264	Grand Manor Health Related Facility, Inc., d/b/a/ Grand Manor Nursing & Rehabilitation Center v. Novello et.al.	Plaintiffs are seeking the recalculation of the Medicaid rates for nursing facility care for the year 2000	OHSM Reimbursement - Nursing Home	Mark W. Geisler, Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7263	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Novello, Stone	Challenge to overall adequacy of 2000 Medicaid rate and the following components: use of 1983 base year data, productivity and efficiency adjustment, elimination of 97/98 trend factor, reserved bed days, RIPAF and WEF calculations, recalibration, A & F c	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7259	Concourse Rehabilitation & Nursing Center, Inc. v. DeBuono, Wing, Woodworth	Challenge to 2000 Medicaid rates on unspecified grounds.	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz P.C.		Pending	03/09/2000
7256	St. Vincent de Paul Residence v. Novello, et al.	Plaintiffs are seeking the recalculation of the Medicaid rates for nursing facility care for the year 2000	OHSM Reimbursement - Nursing Home	Mark W. Geisler, Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7255	Kateri Residence v. Novello, Stone - See #6976 for 1999 case	Challenge to 2000 rate. Issues include use of stale data, production & efficiency reduction, 97-98 trend factor elimination; reserved bed days; recalibration; ceilings.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - Mark Geisler		Pending	03/09/2000
7254	Lyden Nursing Home v. Novello, Stone	Challenge to 2000 rate. Issues include use of stale data, production & efficiency reduction, 97-98 trend factor elimination; reserved bed days; recalibration; ceilings.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - Mark Geisler		Pending	03/09/2000
7253						Pending	03/09/2000

	Palm Tree Nursing Home v. Novello, Stone - See #6978 for 1999 cases	Challenge to 2000 rate. Issues include use of stale data, production & efficiency reduction, 97-98 trend factor elimination; reserved bed days; recalibration; ceilings.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - Mark Geisler			
7252	Split Rock Nursing Home v. Novello, et.al.	Plaintiffs are seeking the recalculation of the Medicaid rates for nursing facility care for the year 2000.	OHSM Reimbursement - Nursing Home	Mark W. Geisler, Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/2000
7251	Palm Gardens Nursing Home v. Novello, Stone - See #6976 for 99 cases.	Challenge to 2000 rate. Issues include use of stale data, production & efficiency reduction, 97-98 trend factor elimination; reserved bed days; recalibration; ceilings.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - Mark Geisler		Pending	03/09/2000
7250	Carmel Richmond Nursing Home, Inc. v. Novello, Stone - See #6982 for 1999 case	Challenge to 2000 rate. Issues include use of stale data, production & efficiency reduction, 97-98 trend factor elimination; reserved bed days; recalibration; ceilings.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - Mark Geisler		Pending	03/09/2000
7249	The Concord Nursing Home, Inc. v. Novello, Stone	Challenge to 2000 rate. Issues include alleged use of stale data, rate reductions to () productivity & efficiency; elimination of 977-98 trend factor; reserved bed days; computation; recalibration; idriect ceilings; calculation of RIPAF and WE	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C. - Mark Geisler		Pending	03/09/2000
7239	Greater New York Health Care Facilities Association on behalf of 71 listed members v. Novello, Wing, Johnson, Stone	Challenge to 2000 RHCF methodology on various grounds. Arguments are the same as those raised for earlier rate periods.	OHSM Reimbursement - Nursing Home	Thomas Cone/Evelyn Huang		Pending	02/28/2000
7229	Van Rensselaer Manor by County of Rensselaer v. Novello, DOB	Seeks capital cost reimbursement revision to reflect capital costs of replaced structure change in over mortgaging percentage and lease costs for telephone systems	OHSM Reimbursement - Nursing Home	Tobin & Dempf - Raul Tabora		Pending	02/10/2000
7209	AUTUMN VIEW MANOR	Proceeding to block recoupment of overpayments	OHSM Reimbursement - Nursing Home	Cornelius D. Murray, Esq., O'Connell & Aronowitz		Pending	01/06/2000
7208	BROOKHAVEN HEALTH CARE FACILITY v. NOVELLO	Proceeding to block recoupment of overpayments	OHSM Reimbursement - Nursing Home	Cornelius D. Murray, Esq., O'Connell & Aronowitz		Pending	01/06/2000
7205	Fishkill Health Related Center v. Novello	Challenge to rates since 1991; seeks use of 1991 as base year, due to OBRA 1987 "conversion" to SNF; challenge to A & F cap based on 83.	OHSM Reimbursement - Nursing Home	Cornelius Murray - O'Connell & Aronowitz		Pending	12/30/1999
7196	Linwood Health Care Center, Inc. v. Novello, King	Challenge to a PRI audit determination which reduced CMI by .03 beginning August 1, 1998.	OHSM Reimbursement - Nursing Home	Ross Lanzafame Harter, Secrest, Emery, LLP		Pending	12/30/1999
7192	Hillside Manor Nursing Home and Hudson Valley Nursing Center v. Novello, et al.	Petitioners are challenging provisions of the 1999-2000 budget pertaining to Medicaid reimbursement rates for nursing homes. Petitioners assert that (1) the administrative and fiscal services cost cap, (2) the elimination of a trend factor adjustment for	OHSM Reimbursement - Nursing Home	Cadwalader, Wickersham & Taft		Pending	12/15/1999
7130	Port Chester Nursing and Rehabilitation Center v. Novello	PRI issues concerning therapy	OHSM Reimbursement - Nursing Home	Cornelius D. Murray - O'Connell and Aronowitz		Pending	09/10/1999
7016	Ferncliff Nursing Home Co., Inc. v. Whalen, King	Challenge to the gross receipts assessment.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	04/12/1999
7000	Concourse Rehabilitation and Nursing Center, Inc. v. DeBuono	Challenge to 1999 Medicaid rates.	OHSM Reimbursement - Nursing Home	Neiman Ginsburg & Mairanz, PC		Pending	03/10/1999
6999						Pending	03/09/1999

	Ramapo Manor Nursing Center, Inc. v. Whalen, King	Petitioner seeks to annul its 1999 Medicaid reimbursement rates and the cash receipts assessment violations of equal protection, federal (1396a(a)(13) & (30)) and state (2807(3)) statutory and regulatory requirements. Specific aspects of the rate calcula	OHSM Reimbursement - Nursing Home	Skolnick Hochbert & Bernfeld, PC			
6998	Bayberry Nursing Home v. Whalen, King	Challenge to 1999 Medicaid reimbursement rates and gross receipts assessment. Issues raised are productivity incentive, trend factor freeze, RIPAF calculation, indirect component calculation, reserved bed days, recalibration, direct and indirect cost cei	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld, PC		Pending	03/09/1999
6997	Brandywine Nursing Home, Inc. v. Whalen, King	Challenge to 1999 Medicaid reimbursement rates and gross receipts assessment. Issues raised are productivity incentive, trend factor freeze, RIPAF calculation, indirect component calculation, reserved bed days, recalibration, direct and indirect cost cei	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld, PC		Pending	03/09/1999
6996	Cedar Manor, Inc. v. Whalen, King	Challenge to 1999 Medicaid reimbursement rates and gross receipts assessment. Issues raised are productivity incentive, trend factor freeze, RIPAF calculation, indirect component calculation, reserved bed days, recalibration, direct and indirect cost cei	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld, PC		Pending	03/09/1999
6995	German Masonic Home Corp. d/b/a Dumont Masonic Home v. Whalen, King	Challenge to 1999 Medicaid reimbursement rates and gross receipts assessment. Issues raised are productivity incentive, trend factor freeze, RIPAF calculation, indirect component calculation, reserved bed days, recalibration, direct and indirect cost cei	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld, PC		Pending	03/09/1999
6994	Skyview Haven Nursing Home, Inc. v. Whalen, King	Plaintiff challenges its 1999 Medicaid rates including the cash receipts assessment asserting noncompliance with federal (42 USC 1396a (a)(13) & (30) and state (PHL 2807(3)) statutory and regulatory requirements. Plaintiff specifically challenges (1) retr	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld, P.C.		Pending	03/09/1999
6993	New Sans Souci Nursing Home v. Whalen, King	Plaintiff challenges its 1999 Medicaid rates including the cash receipts assessment asserting noncompliance with federal (42 USC 1396a (a)(13) & (30) and state (PHL 2807(3)) statutory and regulatory requirements. Plaintiff specifically challenges (1) retr	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld P.C.		Pending	03/09/1999
6992	King Street Home, Inc. v. Whalen, King	Plaintiff challenges its 1999 Medicaid rates including the cash receipts assessment asserting noncompliance with federal (42 USC 1396a (a)(13) & (30) and state (PHL 2807(3)) statutory and regulatory requirements. Plaintiff specifically challenges (1) retr	OHSM Reimbursement - Nursing Home	Skolnick Hochberg & Bernfeld P.C.		Pending	03/09/1999
6987	Morningside House Nursing Home Company, Inc. v. Dennis Whalen	Action to obtain increase in '99 Medicaid rate and to invalidate and obtain referred of health care assessments	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/1999

6986	St. Vincent de Paul Residence v. Dennis Whalen	Action to obtain increase in '99 Medicaid rate and to invalidate and obtain refund of health care assessments	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/1999
6985	Grand Manor Health Related Facility, Inc. v. Dennis Whalen	Action to obtain increase in '99 Medicaid rate and to invalidate and obtain refund of health care assessments	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/1999
6984	Split Rock Nursing Home v. Dennis Whalen	Action to obtain increase in '99 Medicaid rate and to invalidate and obtain refund of health care assessments.	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.		Pending	03/09/1999
6983	Eastchester Park Nursing Home v. Dennis Whalen	Action to obtain increase in '99 Medicaid rate and to invalidate and obtain refund of health care assessments	OHSM Reimbursement - Nursing Home	Skolnick, Hochberg & Bernfeld, P.C.,		Pending	03/09/1999
6982	Carmel Richmond Nursing Home, Inc. v. Whalen, King	Challenge to 1999 rate. Issues include: productivity and efficiency reduction; elimination of 97/98 trend factors; RIPAF and WEF calculation indirect component calculation; reserved bed days; recalibration; direct cost ceiling; indirect base price reduction	OHSM Reimbursement - Nursing Home	David Bernfeld - Skolnick, Hochberg & Bernfeld, Inc.		Pending	03/16/1999
6980	Kateri Residence v Whalen, King	Challenge to 1999 rate. Issues include: Productivity & efficiency reduction; elimination of 97/98 trend factor; RPAF & WEF calculation; indirect component computation; reserved bed days; recalibration; cash assessments.	OHSM Reimbursement - Nursing Home	David Bernfeld Skolnick, Hochberg & Bernfeld		Pending	03/16/1999
6979	Lyden Nursing Home v Whalen, King	Challenge to 1999 rates citing: productivity and efficiency reduction; 97/98 trend factor elimination; RIPAF computation; reserved bed days; return on investment; recalibration; base price reduction; salary ceiling; cash assessments.	OHSM Reimbursement - Nursing Home	David B. Bernfeld Skolnick, Hochberg & Bernfeld		Pending	03/09/1999
6978	Palm Tree Nursing Home v. Whalen, King	Challenge to 1999 rate citing: productivity & efficiency reduction; 97-98 trend factor elimination administration and fiscal services cap; RIPAF compensation, computation of indirect component; reserved bed days; rate of return; recalibration; base price	OHSM Reimbursement - Nursing Home	David BiBernfeld Skolnick, Hochberg & Bernfeld		Pending	03/09/1999
6976	Palm Gardens Nursing Home v. Whalen, King	Challenge to 1999 rate citing productivity & efficiency reduction; 97/98 trend factor elimination; RIRAF calculation; indirect component calculation; reserved bed days; rate of return; recalibration; price reduction; salary ceilings; cash assessments.	OHSM Reimbursement - Nursing Home	David B. Bernfeld, Skolnick, Hochberg & Bernfeld		Pending	03/09/1999
6966	Greater New York Health Care Facilities Assoc. et al v. Whalen, Wing, Johnson, King	Challenge to 1999 nursing home rates as being made - quote and violative of federal mandates.	OHSM Reimbursement - Nursing Home	Thomas J. core - Evelyn Huang		Pending	03/01/1999
6965	NYSHA v. Dennis Whalen; Good Shepard Fairview Home v. Dennis Whalen	Article 78 proceedings in state court seeking to eliminate RIPAF adjustment from 1999 rates on grounds it was improperly adopted and provides inadequate reimbursement under federal law and is irrational.	OHSM Reimbursement - Nursing Home	Harter, Secrest		Pending	03/01/1999
6956	Manor Oak Skilled Facilities, Inc., White Plains Nursing Home v. Whalen, King	Challenge to base price reduction applied on the computation of 1999 Medicaid rates.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP		Pending	03/01/1999
6955	New York State Health Facilities Association,	Challenge to base price reduction as applied to 1999 Medicaid rates.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery, LLP		Pending	03/01/1999

	Houghton Nursing Care Center, et al. v. Whalen, King						
6949	Greater New York Health Care Facilities Assoc et al v. Whalen, Wing, Johnson, King	Challenge to 1999 nursing home rates as being made great and violative of federal mandates.	OHSM Reimbursement - Nursing Home	Evelyn Huang		Pending	03/01/1999
6948	Edward T. Sylcox, d/b/a Sylcox Health Care Facilities and Walnut Mountain Care Center v. Whalen, King	Challenge to 1999 rates blending former SNF and HRF costs and violating federal efficiency and economy standards	OHSM Reimbursement - Nursing Home	Harter, Secret Emery		Pending	03/01/1999
6888	Franklin Center for Rehabilitation and Nursing and Friedwald House HRF	Challenge to base price reduction for July 2, 1989 to present reimbursement rates.	OHSM Reimbursement - Nursing Home	Weinburg, Kaley, Gross & Pergament, LLP		Pending	12/04/1998
6868	Lyden Nursing Home, Bruckner Nursing Home, Williamsbridge Nursing Home, Belair Nursing Home, Woodmere Health Care Center and Woodmere Health Related Facility v. DeBuono, Woodworth	Challenge to the base price reduction as applied to 1989 through 1996 Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Neiman Ginsburg & Mairanz, P.C.		Pending	11/17/1998
6843	Fiddlers Green Manor Nursing Home v. DeBuono, King	Petitioner seeks to annul, as untimely, rate revisions made by the department to petitioner's 4/1/95-12/31/98 Medicaid rates.	OHSM Reimbursement - Nursing Home	Harter, Secret & Emery		Pending	10/01/1998
6808	Monroe County, on behalf of Monroe Community Hospital v. DeBuono, Woodworth	Petitioner seeks correction of the 1987 wage and hours data used in calculating the 1987 regional average wage prices for 1991 rate purposes.	OHSM Reimbursement - Nursing Home	Monroe County Attorney - Charles S. Turner - Michael E. Davis - 307 County Office Building		Pending	08/25/1998
6770	Bellhaven Nursing Center v. Wing, DeBuono, State	Challenge by 185 nursing homes to the additional assessments on their gross receipts in effect from April 1, 1992 to date.	OHSM Reimbursement - Nursing Home	Hamburger, Maxson & Yaffee, LLP - Suite 404W		Pending	06/26/1998
6688	Lyden Nursing Home v. DeBuono, King	Challenge to 1998 Medicaid rate cost components including Budget Act adjustment, RIPAF calculations, reserved bed days, return on investment & equity, recalibrations, base price reduction, salary ceilings & cash receipts assessment.	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998
6687	Ramapo Manor Nursing Center, Inc. v. DeBuono, King	Challenge to 1998 Medicaid rate components including Budget Act adjustments, RIPAF & WEF calculations, indirect cost component, reserved bed days, rates of return on investment & equity, salary ceilings & cash receipts assessment.	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998
6686	New Sans Souci N.H. v. DeBuono, King	Challenge to 1998 Medicaid rate components including Budget Act adjustments, exclusion of agency & registry nurses from RIPAF & WEF, indirect cost component calculation, use of reserved bed days, return on investment & equity, RIPAF calculation, base price	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/03/1998
6685	King St. Home, Inc. v. DeBuono, King	Challenge to 1998 Medicaid rate calculations including Budget Act adjustments, agency & registry nurse exclusion from RIPAF & WEF, indirect cost component, use of reserved bed days, return on investment and equity,	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998

		recalibration, RIPAF calculation, cost c					
6684	German Masonic Home Corp. d/b/a Dumont Masonic Home	Challenge to 1998 Medicaid rate components including Budget Act amendments, exclusion of agency & registry nurses from RIPAF, WEF calculations, indirect cost component calculations, use of reserved bed days, recalibration, direct & indirect cost ceilings,	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998
6683	Cedar Manor, Inc. v. DeBuono, King	Challenge to 1998 Medicaid rate components including Budget Act amendments, exclusion of agency & registry nurses from RIPAF & WEF calculations, use of reserved bed days, returns on investment & equity, RIPAF calculations, salary ceilings, & gross receipt	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998
6682	Brandywine Nursing Home, Inc. v. DeBuono, King	Challenge to 1998 Medicaid rate components including Budget Act adjustments, exclusion of agency and registry nurses from RIPAF & WEF calculations, indirect cost component, use of reserved bed days, return on investment & equity, recalibration, RIPAF calc	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998
6681	Bayberry Nursing Home v. DeBuono, King	Challenge to various components of 1998 Medicaid Rates including Budget Act adjustment, exclusion of agency and registry nurses from RIPAF and WEF, indirect component calculation, reserved bed days, returns on investments and equity recalibration, RIPAF c	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland, et al.		Pending	03/03/1998
6680	Guilderland Center Nursing Home, Inc. v. DeBuono, King	Challenge to 1983 Medicaid rates. Components challenged include Budget Act requirements, RIPAF adjustment, recalibration, base price reduction, salary ceilings, and gross receipts assessment.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld, Stern, P.C.		Pending	03/03/1998
6678	Ridge View Manor Nursing Home, et al. v. DeBuono, King	Challenge to 1998 rates based on use of unrepresented 1983 costs data, application of WEF based on 83 or 87 data, failure to recognize temporary and agency personnel pool costs as salary expense and use of insufficient, non-New York specific trend factors	OHSM Reimbursement - Nursing Home	Thomas G. Smith, Esq. - Harter, Secrest & Emery		Pending	02/27/1998
6672	Manor Oak Skilled Facilities, Inc. - Warsaw, et al. v. DeBuono, King	Challenge to the base price reduction applied to 1998 nursing home Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery		Pending	02/27/1998
6670	New York State Health Facilities Association, Inc., Houghton Nursing Care Center, et al. v. DeBuono, King	Challenge to the base price reduction applied to 1998 nursing home Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery		Pending	02/27/1998
6667	NYS Health Facilities Association, Inc. v. DeBuono	Article 78 to overturn 1998 RIPAF adjustment on state law, "public access" and "equal access" grounds.	OHSM Reimbursement - Nursing Home	Harter, Secrest		Pending	02/27/1998
6666	Good Sheppard - Fairview Home [sic] et al v. DeBuono, et al.	Article 78 to overturn 1998 RIPAF adjustment on state law, "public process" and "equal access" grounds.	OHSM Reimbursement - Nursing Home	Harter, Secrest		Pending	02/27/1998
6659	Greater New York Health Care Facilities Association on behalf of listed facilities v. DeBuono, Wing, King	Challenge to 1998 rates as not meeting efficiency, economy and access to care standards (42 U.S.C. section 1396a(30)(A)) because of methodology provisions including recalibration, base price	OHSM Reimbursement - Nursing Home	Thomas Cone and Evelyn Huang		Pending	02/26/1998

		reduction, WEF and cash assessments by 72 facilities.					
6642	German Masonic Home Corp. d/b/a Dumont Masonic Home v. DeBuono	Challenge to recalculation of 1986-97 Medicaid rates; specifically to the use of reserved bed days and application of administrative and fiscal services cost cap.	OHSM Reimbursement - Nursing Home	Hoffringer Friedland Dobrish Bernfeld & Stern, P.C.		Pending	01/30/1998
6627	Hillside Manor Nursing Center, Hudson Valley Nursing Center v. DeBuono, et al.	Challenge to the assessments on gross receipts and to the retroactive adjustment of Medicaid rates to reflect actual assessments paid.	OHSM Reimbursement - Nursing Home	Cadwalader Wickersham & Taft		Pending	12/24/1997
6626	New York Association of Homes and Services for the Aging, Inc. v. DeBuono, et al.	Challenge to the gross receipts assessment on constitutional grounds. Plaintiff also challenges the retroactive revision to Medicaid reimbursement rates to reflect actual assessments paid.	OHSM Reimbursement - Nursing Home	Cadwalader Wickersham & Taft		Pending	12/24/1997
6401	Concourse Rehabilitation and Nursing Center, Inc. v. DeBuono, Wing, Woodworth	Challenge to 1997 Medicaid reimbursement rate.	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz		Pending	03/03/1997
6399	Ramapo Manor Nursing Center, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1996 and 1997 Medicaid reimbursement rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF, indirect cost component, reserved bed days, rate of return on investment and equity, base price reduction, administrator	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/04/1997
6398	Guilderland Center Nursing Home, Inc. v. DeBuono	Challenge to 1996 and 1997 Medicaid reimbursement rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF, indirect cost component, reserved bed days, rate of return on investment and equity, base price reduction, administrator	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/04/1997
6397	Lyden Nursing Home v. DeBuono	Challenge to 1996 and 1997 Medicaid rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF calculations, reserved bed days, rates of return on investment and equity, recalibration, base price reduction, ceilings on salaries of	OHSM Reimbursement - Nursing Home	Hoffinger Fridland		Pending	03/04/1997
6396	New Sans Souci Nursing Home v. DeBuono, Woodworth, Wing	Challenge to 1996 and 1997 Medicaid reimbursement rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF, indirect cost component, reserved bed days, rate of return on investment and equity, base price reduction, administrator	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/04/1997
6395	King Street, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1996 and 1997 Medicaid rates and the cash receipts assessment. Issues raised are budget act reductions, RIPAF calculation, indirect cost component, reserved bed days, rate of return on investment and real property equity, recalibration, base	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/04/1997
6392	Dumont Masonic Home v. DeBuono	Challenge to 1996 and 1997 Medicaid reimbursement rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF, indirect cost component, reserved bed days, recalibration, direct	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/04/1997

		cost ceiling, administrator salary ceiling.					
6391	Cedar Manor, Inc. v. DeBuono	Challenge to 1996 and 1997 Medicaid rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF calculations, reserved bed days, rate of return on investment and equity, recalibration, base price reduction, administrator salary cei	OHSM Reimbursement - Nursing Home	Hoffringer, Friedland		Pending	03/04/1997
6390	Brandywine Nursing Home, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1996 and 1997 Medicaid rates and cash receipts assessment. Issues raised are budget act reductions, RIPAF calculations, indirect cost component, reserved bed days, returns on investment and real property equity, recalibrations, base price re	OHSM Reimbursement - Nursing Home	Hoffringer Friedland		Pending	03/04/1997
6389	Bayberry Nursing Home v. DeBuono, Woodworth, Wing	Challenge to 1997 Medicaid rate and cash receipts assessment. Issues raised are budget act reductions, indirect cost ceiling, reserved bed days, rates of return on investment and real property equity, recalibration, RIPAF and base price reduction.	OHSM Reimbursement - Nursing Home	Hoffringer Friedland, et al.		Pending	03/04/1997
6388	Manor Oak Skilled Facilities, Inc., Buffalo, Jamestown & Warsaw, Niagara Geriatric Center and White Plains Nursing Home	Five facilities challenge the base price reduction applied to their 1997 Medicaid reimbursement rates. See also related cases at #6114 and 6378.	OHSM Reimbursement - Nursing Home	(Thomas Smith (Harter, Secret & Emery)		Pending	02/28/1997
6387	New York State Health Facilities Association, Inc., Oak Hollow Nursing Center, et al. v. DeBuono	Challenge to base price reduction applied to 1997 medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Harter, Secret & Emery		Pending	02/28/1997
6386	Pontiac Nursing Home, et al. v. DeBuono, Wing, Woodworth	Challenge to 1997 nursing home rates by 60 facilities claiming that the use of 1983 cost data, application of the WEF based on 1983 or 1987 data failure to recognize temporary personnel costs as salary expense use of insufficient inflation indices results	OHSM Reimbursement - Nursing Home	Thomas Smith		Pending	02/28/1997
6383	St. Francis Home of Williamsville, et al. v. DeBuono	Article 78 to eliminate RIPAF adjustment from rates on Boren Amendment grounds.	OHSM Reimbursement - Nursing Home	Harter, Secret		Pending	03/03/1997
6378	New York State Health Facilities Association [NYSHFA], et al. v. DeBuono, Wing, Woodworth	Challenge to 1997 reimbursement rates on behalf of listed members (83 facilities) and all others similarly situated, claiming Boren Amendment violations and seeking recalculation of the 1997 rates. Case consolidated with cases #6114 (Auburn) and #6388 (Manor Oak).	OHSM Reimbursement - Nursing Home	Thomas Smith (Harter, Sscrest & Emery)		Pending	02/26/1997
6374	Wedgewood Care Center, Inc. v. DeBuono	Article 78 proceeding to obtain NYC RIPAF for facility's rates after audit.	OHSM Reimbursement - Nursing Home	Marvin Tenzer - Tenzer, Greenblatt		Pending	02/25/1997
6326	Glen Island Care Center v. DeBuono	Petitioner is seeking to annul provisions of the 1996/1997 budget acts including the administrative and fiscal services cost cap, trend factor adjustments, limits on revisions, rate reduction to encourage productivity and the base price reduction and the	OHSM Reimbursement - Nursing Home	Cadwalder, Wickershaw & Taft		Pending	12/19/1996
6286	Port Jefferson Health Care Facility, et al. v. Wing, DeBuono	Challenge by twenty-one nursing homes to the gross receipts assessment imposed by Chapter 309 of the laws of 1996.	OHSM Reimbursement - Nursing Home	Richard Charles Hamburger, P.C., Suite 404W		Pending	10/17/1996
6277				Marvin Tenzer, Esq.		Pending	10/07/1996

	New Rochelle Nursing Home v. DeBuono	Art. 78 proceeding to obtain NYC RIPAF (WEF) rather than Westchester RIPAF for 1996.	OHSM Reimbursement - Nursing Home				
6240	United Home for Aged Hebrews, United Home for the Aged, Inc. v. NYSDOH	Plaintiffs seek a declaration that they are not liable for interest and penalties on the gross receipts assessment and that the assessment on litigation proceeds should not be at the 1995 assessment rates.	OHSM Reimbursement - Nursing Home	Nixon, Hargrave, Devans & Doyle, LLP		Pending	07/24/1996
6168	Manhattanville Nursing Care Center, Inc. v. DeBuono, Wing, Woodworth	Petitioner seeks increased Medicaid rates to cover alleged post-first patient "start-up costs."	OHSM Reimbursement - Nursing Home	O'Connell & Aronowitz		Pending	03/21/1996
6165	Manor Oak SNF's Inc., et al. v. DeBuono, et al.	Art. 78 proceeding seeking to overturn RIPAF adjustment as of January 1, 1996 on Boren Amendment, Article 28 and constitutional grounds.	OHSM Reimbursement - Nursing Home	Harter, Secrest		Pending	02/29/1996
6143	Glen Island Care Center v. DeBuono, et al.	Challenge to cap on administrative and fiscal costs, the trend factor freeze, and base price reduction applied to 1995 and 1996 rates.	OHSM Reimbursement - Nursing Home	Cadwalader, Wickersham & Taft		Pending	03/07/1996
6142	Hudson Valley Nursing Center, Hillside Manor Nursing Center v. DeBuono, et al.	Challenges to administrative and fiscal services cap, base price reduction and case receipts assessment, 1995 and 1996 rates.	OHSM Reimbursement - Nursing Home	Cadwalader, Wickersham & Taft		Pending	03/07/1996
6137	Brandywine Nursing Home v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: recalibration, reserved bed days, various base year cost ceilings, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6136	New Sans Souci Nursing Home v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: reserved bed days, various base year cost ceilings, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6135	Ramapo Manor Nursing Center, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: reserved bed days, various base year cost ceilings, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6134	Guilderland Center Nursing Home, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: recalibration, reserved bed days, various base year cost ceilings, administrative cost cap, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6133	Bayberry Nursing Home v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: recalibration, reserved bed days, various base year cost ceilings, administrative cost cap, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6132	Dumont Masonic Home v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: recalibration, reserved bed days, various base year cost ceilings, administrative cost cap, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6131	Skyview Haven Nursing Home, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: recalibration, reserved bed days, various base year cost ceilings, administrative cost	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996

		cap, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.					
6130	King Street Home, Inc. v. DeBuono, Woodworth, Wing	Challenge to 1995 and 1996 Medicaid rates. Issues are: recalibration, reserved bed days, various base year cost ceilings, administrative cost cap, RIPAF, zero trend, peer grouping. Also Cash Assessment Program. Boren Amendment raised.	OHSM Reimbursement - Nursing Home	Hoffinger, Friedland, Dobrish, Bernfeld & Stern		Pending	03/04/1996
6128	New York Association of Homes and Services for the Aging, et al. v. DeBuono, et al.	Challenge to base price reduction applied to 1996 Medicaid reimbursement rates.	OHSM Reimbursement - Nursing Home	Cadwalader, Wickersham & Taft		Pending	03/07/1996
6123	Seneca Nursing Home & HRF, et al. v. DeBuono, Wing, Woodworth	59 Nursing facilities challenge their 1996 reimbursement rates raising issues similar to those advanced in the Lakeshore and similar proceedings about previous years.	OHSM Reimbursement - Nursing Home	Harter, Secrest, Emery		Pending	02/29/1996
6120	Goldcrest Care Center, et al. v. DeBuono, Wing, Woodworth	72 Nursing facilities challenge their 1996 rates on various grounds including continued use of 1983 base years costs. The arguments are similar to those raised in prior years by the same group. See #5858 and 5634.	OHSM Reimbursement - Nursing Home	Jon Gartner		Pending	02/27/1996
6119	Concourse Rehabilitation and Nursing Center, Inc. v. DeBuono, Wing, Woodworth	Challenge to rate determinations issued in November, 1995, pertaining to 1995 and 1996 Medicaid reimbursement rates, on unspecified grounds.	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz, P.C.		Pending	03/04/1996
6115	J.G.B. Facilities Corporation v. DeBuono, Woodworth	Petitioner seeks to be grouped with New York City facilities for 1995 and 1996 Medicaid rate computation purposes.	OHSM Reimbursement - Nursing Home	Rosenman & Colin, LLP		Pending	03/01/1996
6114	Auburn Nursing Home, NYS Health Facilities Association, et al. v. DeBuono, Wing, Woodworth	Challenge to base price reduction applied to 1996 Medicaid reimbursement rates. See also related cases of NYSHFA v DeBuono (#6378) and Manor Oak v DeBuono (#6388).	OHSM Reimbursement - Nursing Home	Thomas Smith (Harter, Secrest & Emery)		Pending	02/29/1996
6113	Southern New York Association, Inc. v. DeBuono, Wing, Woodworth	Challenge to base price reduction and recalibration applied to 1995 and 1996 Medicaid rates.	OHSM Reimbursement - Nursing Home	Kronich, Lieb, Weiner & Hellman		Pending	03/01/1996
6110	Nyack Manor Nursing Home v. DeBuono, et al.	Petitioner is seeking to enjoin various aspects of the calculation of its 1996 Medicaid reimbursement rates including the base price reduction, recalibration and provisions of the state's 1995-1996 budget acts.	OHSM Reimbursement - Nursing Home	Seligson, Rothman & Rothman		Pending	02/29/1996
6104	Rockville Residence Manor v. DeBuono, Wing, Woodworth, SHRPC	Article 78 challenge to 1996 nursing home rate-setting methodologies: recalibration, base price reduction, reserved bed day, administrative salary ceiling, administrative cost caps, zero trend factor, 5.6% Cash Assessment, rate appeal freeze.	OHSM Reimbursement - Nursing Home	Seligson, Rothman & Rothman		Pending	02/28/1996
6103	Brookhaven Beach Health Related Facility v. DeBuono, Wing, Woodworth, SHRPC	Article 78 challenge to 1996 nursing home rate-setting methodologies: recalibration, base price reduction, reserved bed day, administrative salary ceiling, administrative cost caps, zero trend factor, 5.6% Cash Assessment, rate appeal freeze.	OHSM Reimbursement - Nursing Home	Seligson, Rothman & Rothman		Pending	02/28/1996
5987	Somers Manor N.H. v. DeBuono, et al.	Art. 78 to eliminate RIPAF adjustment from 1988 rate based on outstanding administrative appeal.	OHSM Reimbursement - Nursing Home	Harter Secrest		Pending	08/17/1995

5910	Avon Nursing Home, et al. v. DeBuono	Facilities which received payments under the RIPAF settlement are seeking to invalidate 1.8% assessment imposed under PHL section 2807-d.	OHSM Reimbursement - Nursing Home	Harter, Secrest & Emery		Pending	04/11/1995
5893	Concourse Nursing Home v. Glass, DeBuono, Woodworth	Plaintiff seeks recomputation of its 1994 and 1995 Medicaid rates on unspecified grounds.	OHSM Reimbursement - Nursing Home	Neiman, Ginsburg & Mairanz, P.C.		Pending	03/24/1995
5885	SS. Joachim & Anne Residence, Inc. v. DeBuono, et al.	Challenge to the case mix index used to establish petitioner's rates in effect from 9/91 to date, and the base price reduction.	OHSM Reimbursement - Nursing Home	Tobin & Dempf		Pending	03/16/1995
5879	BAYBERRY NURSING HOME V. DEBUONO, ET AL	ART. 78 - 1995 MEDICAID RATE-SETTING METHODOLOGIES: RECALIBRATION, RESERVED BED DAYS, GROUPING, RETURN ON INVESTMENT, REAL PROPERTY EQUITY, RIPAF AND BASE PRICE REDUCTION.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIDLAND, DOBRISH, BERNFELD & STERN		Pending	03/02/1995
5878	DUMONT MASONIC HOME V. DEBUONO, ET AL.	ART. 78 - MEDICAID RATE-SETTING METHODOLOGIES: RECALIBRATION, RESERVED BED DAYS, PEER GROUPING, RIPAF, DIRECT COST CEILING, AND OPERATOR/ ADMINISTRATOR SALARY CEILINGS.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH, BERNFELD & STERN		Pending	03/02/1995
5877	GUILDERLAND CENTER NURSING HOME V. DEBUONO, ET AL.	ART. 78 - 1995 MEDICAID RATE-SETTING METHODOLOGIES: RECALIBRATION, RESERVED BED DAYS, PEER GROUPING, RETURN ON INVESTMENT, RIPAF, BASE PRICE REDUCTION, AND SALARY CEILINGS.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH, BERNFELD, & STERN		Pending	03/02/1995
5876	RAMAPO MANOR NURSING CENTER V. DEBUONO, ET AL.	ART. 78 - 1995 MEDICAID RATE-SETTING METHODOLOGIES: RESERVED BED DAYS, PEER GROUPING, RETURN ON INVESTMENT, RIPAF, DIRECT COSTS CEILING, AND SALARY CEILINGS.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH, BERNFELD, & STERN		Pending	03/02/1995
5875	NEW SANS SOUCI NURSING HOME V. DEBUONO, ET AL.	ART. 78 - 1995 MEDICAID RATE-SETTING METHODOLOGIES: RESERVED BED DAYS, PEER GROUPING RETURN ON INVESTMENT, RIPAF, BASE PRICE REDUCTIONS, CEILING ON INDIRECT COSTS AND SALARY CEILINGS.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH, BERNFELD & STERN		Pending	03/02/1995
5874	KING STREET HOME V. DEBUONO, ET AL.	ART. 78 - 1995 MEDICAID RATE-SETTING METHODOLOGIES: RECALIBRATION, RESERVED BED DAYS, PEER GROUPING, RETURN ON INVESTMENT, RIPAF, BASE PRICE REDUCTIONS, & DIRECT COST CEILINGS.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH, BERNFELD & STERN		Pending	03/02/1995
5873	BRANDYWINE NURSING HOME V. DEBUONO, ET AL.	ART. 78 - 1995 MEDICAID RATE-SETTING METHODOLOGIES: RECALIBRATION, RESERVED BED DAYS, PEER GROUPING, RETURN ON INVESTMENT/REAL PROPERTY, RIPAF AND SALARY CEILINGS FOR ADMINISTRATORS/ OPERATORS.	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH, BERNFELD & STERN		Pending	03/02/1995
5858	ASTOR GARDENS NURSING HOME, ET AL. V. DEBUONO, GLASS, WOODWORTH	62 FACILITIES ALLEGE THEIR 1995 MEDICAID RATES VIOLATE BOREN AMENDMENT STANDARDS, SEEK RECALCULATION OF RATES WITHOUT UTILIZATION OF PART 86-2 REGULATIONS. SPECIFIC ISSUE IS THE INDIRECT	OHSM Reimbursement - Nursing Home	JON GARTNER		Pending	02/28/1995

		PEER GROUP METHODOLOGY, CLAIMS LACK OF FINDINGS, CITES OTHER ISSUES					
5857	Rockville Residence Manor v. DeBuono, et al.	Challenge to 1995 and prior Medicaid rates on issues of base price reduction and recalibration.	OHSM Reimbursement - Nursing Home	Seligson, Rothman & Rothman		Pending	02/24/1995
5753	NEW SANS SOUCI NURSING HOME V. CHASSIN, ET AL.	'94 MEDICAID RATES: RESERVED BED DAYS, RETURN ON INVEST & REAL PROP EQUITY, SALARY CEILINGS.....;	OHSM Reimbursement - Nursing Home	HOFFINGER FRIEDLAND DOBRISH		Pending	09/26/1994
5742	GUILDERLAND CENTER NH, INC V CHASSIN RUNKO DOWLING	CHALLENGE TO 94 MEDICAID RATES RE: RECAL, BASE PRICE, RESERVED BED DAYS, RIPAF.....	OHSM Reimbursement - Nursing Home	HOFFINGER FRIEDLAND DOBRISH		Pending	08/26/1994
5736	BRANDYWINE NURSING HOME V. CHASSIN, RUNKO, DOWLING	CHALLENGE '94 MEDICAID RATES: RESERVED BED DAYS, RECAL, BASE PRICE REDUCTION, REAL ESTATE EQUITY,	OHSM Reimbursement - Nursing Home	HOFFINGER FRIEDLAND DOBRISH		Pending	08/22/1994
5735	BAYBERRY NURSING HOME V. CHASSIN, RUNKO, DOWLING	CHALLENGE '94 MEDICAID RATES: RESERVED BED DAYS, RECAL, BASE PRICE REDUCTION, REAL ESTATE EQUITY,	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH,		Pending	08/22/1994
5732	CONCOURSE NH V. DOWLING, CHASSIN, BULGARO	PLAINTIFF SEEKS RECOMPUTATION OF ITS 1994 MEDICAID RATES ON UNSPECIFIED GROUNDS	OHSM Reimbursement - Nursing Home	NEIMAN, GINSBURG & MAIRANZ, PC		Pending	08/16/1994
5653	MARTIN LUTHER NURSING HOME, INC. V. DOWLING, CHASS	APPEAL OF 1989-92 ADJUSTMENT TO REFLECT AUDIT DISALLOWANCE OF 1983 UTILITY COSTS BASED ON SUBSEQ	OHSM Reimbursement - Nursing Home	RAUL A. TABORA, JR.		Pending	04/04/1994
5643	RAMAPO MANOR NURSING CENTER, INC. V CHASSIN, ET AL	90-92 RATES. BASE PRICE REDUCTION, RESERVED BED DAYS, RIPAF, RETURN ON WORKING CAP, ADMIN SAL CEIL	OHSM Reimbursement - Nursing Home	HOFFINGER, FRIEDLAND, DOBRISH,		Pending	03/18/1994
5641	ROCKVILLE RESIDENCE MANOR V. CHASSIN, ET AL.	MEDICAID RATES (86 TO PRESENT): BASE PRICE REDUCTION, RIPAF, RECAL & ADMIN SALARY CEILING	OHSM Reimbursement - Nursing Home	SILIGSON, ROTHMAN & ROTHMAN		Pending	02/28/1994
5640	RAMAPO MANOR NURSING CENTER V CHASSIN RUNKO DOWLIN	94 MEDICAID RATES; INDIRECT PRICE CEILING, RIPAF, ADMIN SALARY CEILING AND RETURN ON EQUITY	OHSM Reimbursement - Nursing Home	HOFFINGER FRIEDLAND DOBRISH		Pending	03/02/1994
5634	GREATER NY HEALTH CARE FACILITIES ASSOC. ON BEHALF	1994 RATE CHALLENGE TO 1983 BASE YEAR, INDIRECT GROUPING CALCULATION	OHSM Reimbursement - Nursing Home	JON GARTNER		Pending	03/02/1994
5540	ROCKVILLE RESIDENCE MANOR V. CHASSIN, ET AL.	1993 RATES - ISSUES OF BASE PRICE REDUCTION, RECALRIPAF AND ADMINISTRATIVE SALARY LIMITS	OHSM Reimbursement - Nursing Home	SELIGSON, ROTHMAN & ROTHMAN		Pending	09/15/1993
5536	CONCOURSE NURSING HOME V. BAIN, CHASIN, BULGARO	PLAINTIFF CHALLENGES 1993 REIMBURSEMENT RATES ON UNSPECIFIED GROUNDS	OHSM Reimbursement - Nursing Home	NEIMAN, GINSBURG & MAIRANZ, PC		Pending	09/07/1993
5445	MJG NURSING HOME CO INC V. CHASSIN, SWEENEY, ET AL	ART 78 RE 1993 RATES. CHALLENGES OFFSET OF 1991 CAPITAL INTEREST EXPENSE AGAINST 1983 INVESTMENT	OHSM Reimbursement - Nursing Home	CADWALADER WICKERSHAM & TAFT		Pending	03/09/1993
5432	RAMAPO MANOR NURSING CENTER V CHASSIN BULGARO BANE	1993 RATES: RESERVED BED DAYS & INDIRECT COMPONENT 1/1/87-6/30/88 RATES: RECALIBRATION	OHSM Reimbursement - Nursing Home	HOFFINGER FRIEDLAND DOBRISH		Pending	03/01/1993
5431	GREATER NY HCFA, ET AL. V. CHASSIN, BANE, BULGARO	CHALLENGE TO 1993 RATES AS NOT MEETING BOREN AMENDMENT STANDARDS: 300 BED; BASE PRICE REDUCTION	OHSM Reimbursement - Nursing Home	JON GARTNER, ESQ.		Pending	03/01/1993
5406	CONCOURSE NURSING HOME V. CHASSIN, BULGARO, BANE	TO ANNUL THE DENIAL OF MEDICAID REIMBURSEMENT RATE APPEALS	OHSM Reimbursement - Nursing Home	MARVIN NEIMAN		Pending	01/21/1993
5343	GREATER NEW YORK HEALTH FACILITIES ASSC. ET AL. V.	CHALLENGE TO THE PEER GROUP METHODOLOGY USED IN CALCULATING INDIRECT COMPONENT EFFECTIVE 7/1/92	OHSM Reimbursement - Nursing Home	JON GARTNER, ESQ.		Pending	09/01/1992
5285						Pending	05/04/1992

	FENTON PARK NURSING HOME	PETITION IN BANKRUPTCY UNDER CHAPTER 11	OHSM Reimbursement - Nursing Home				
5232	HUDSON VALLEY NURSING CENTER V. COMMISSIONER	CHALLENGE TO BASE PRICE REDUCTION, RIPAF ADJUSTMENT, RECALIBRATION	OHSM Reimbursement - Nursing Home	CADWALADER, WICKERSHAM & TAFT		Pending	03/02/1992
5231	HILLSIDE MANOR HRF V. COMMISSIONER OF HEALTH ET AL	CHALLENGE TO BASE PRICE REDUCTION, NURSING SALARY ADJUSTMENT, AND INACCURATE WORKING CAPITAL DATA	OHSM Reimbursement - Nursing Home	CADWALDER WICKERSHAM & TAFT		Pending	03/02/1992
5226	CARILLON HOUSE NURSING FACILITY V. DOH, SWEENEY, D	300 BED ISSUE, 1992 RATES	OHSM Reimbursement - Nursing Home	CADWALADER, WICKERSHAM & TAFT		Pending	03/02/1992
5219	MORNINGSIDE HOUSE NH CO. INC. V. DOH, SWEENEY, DSS	CHALLENGE TO 92 RATE CLAIMING INAPPROPRIATE BASE YEAR, INACCURATE INFLATION FACTOR & INCORRECT OFFS	OHSM Reimbursement - Nursing Home	PETER BERGMANN		Pending	03/02/1992
5168	MANHATTANVILLE MANOR NCC V MCBARNETTE	ARTICLE 78 TO INVALIDATE BASE PRICE REDUCTION IN 1989-1991 RATES	OHSM Reimbursement - Nursing Home	HARTER, SECREST		Pending	11/27/1991
5166	FRIEDMAN REHABILITATION INSTITUTE FOR CHILDREN, IN	RATE CHALLENGE ISSUES; IMPUTED DAYS, ADMINISTRATORS SALARY CEILING; FUNDED DEPRECIATION	OHSM Reimbursement - Nursing Home	PETER BERGMANN		Pending	01/03/1992
5163	RAMAPO MANOR NURSING CENTER V. MCBARNETTE, ET AL.	PETITIONER CHALLENGES ITS 1991 MEDICAID REIMBURSEMENT RATES	OHSM Reimbursement - Nursing Home	HOFFRINGER, FRIEDLAND, DOBRISH		Pending	12/20/1991
5147	HILLSIDE HRF V. COMMISSIONER OF HEALTH	CHALLENGE TO RECALIBRATION, BASE PRICE REDUCTION, NURSING SALARY ADJUSTMENT, RETURN ON INVESTMENT	OHSM Reimbursement - Nursing Home	CADWALADER, WICKERSHAM & TAFT		Pending	11/15/1991
5124	CONCOURSE N.H. V. MCBARNETTE, PERALES, BULGARO	TO ANNUL THE DENIAL OF MEDICAID RATE APPEALS	OHSM Reimbursement - Nursing Home	MARVIN NEIMAN, P.C.		Pending	10/07/1991
5087	CONCOURSE N.H. V. MCBARNETTE, SWEENEY, ANDERMAN	TO COMPEL PROCESSING OF MEDICAID RATE APPEALS. MONEY DAMAGES ARE ALSO SOUGHT	OHSM Reimbursement - Nursing Home	MARVIN NEIMAN, P.C		Pending	08/30/1991
4919	TRUSTEES OF THE MASONIC HALL & ASYLUM FUND V. AXELROD	ARTICLE 78 SEEKING REVISIONS IN 1983 RATES TO REFLECT ADDITIONAL STAFF IN 1982.	OHSM Reimbursement - Nursing Home	MARK HARMON		Pending	09/17/1990
4865	HURLBUT ET AL. V. AXELROD, PERALES, FORSYTHE	PETITIONERS CHALLENGE THE WEF AND TREND FACTORS USED IN CALCULATING THEIR 1989 RATES	OHSM Reimbursement - Nursing Home	HARTER, SECREST & EMERY		Pending	06/15/1990
4826	PENFIELD N.H., ET AL V. AXELROD, PERALES, FORSYTHE	CHALLENGE TO 1989 RATES AND WEF	OHSM Reimbursement - Nursing Home	HARTER, SECREST, & EMERY		Pending	03/02/1990
4789	SHALOM NURSING HOME V. AXELROD, PERALES	PLAINTIFF SEEKS TO ENFORCE AN ALLEGED AGREEMENT ENTERED INTO WITH DSS	OHSM Reimbursement - Nursing Home	MARVIN NEIMAN, PC		Pending	12/29/1989
4720	NEWARK MANOR NH, ET AL. V. AXELROD	ARTICLE 78 CHALLENGE TO RIPAF CORRIDOR	OHSM Reimbursement - Nursing Home	HARTER, SECREST		Pending	10/04/1989
4556	REGO PARK NH V NYSDOH, RHCF REIMBURSE, HODGKINS	ART78 SEEKING ADDITIONAL REIMBURSEMENT FOR 83-85 RATE YRS FOR INCREASE PHARMACY DEPARTMENT COSTS	OHSM Reimbursement - Nursing Home	LAW OFFICES OF MORRIS TUCHMAN		Pending	11/23/1988

Records 1 to 486 of 486