

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL  
BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of )  
Diagnostic Health Anchorage ) OAH No. 08-0446-DHS  
\_\_\_\_\_ )

**NOTICE OF ASSIGNMENT**

On August 22, 2008, the Department of Health and Social Services referred the above-referenced matter to the Office of Administrative Hearings (OAH). Administrative Law Judge Terry L. Thurbon of OAH's Juneau office is hereby assigned to this matter. The procedures in AS 44.62.330 – AS 44.62.630, in 7AAC 07. 080, in AS 44.64.030 – AS 44.64.200 and in 2 AAC 64.100 – 2 AAC 64.990 apply to the hearing of this matter.


Documents filed by a party in this matter should refer to OAH No. 08-0446-DHS and should be directed to Administrative Law Judge Thurbon's attention at the following address:

Office of Administrative Hearings  
PO Box 110231  
Juneau, AK 99811-0231


Facsimile filings or communications may be allowed in the discretion of the Administrative Law Judge. Telephone the office at 907-465-1886 to request permission to send materials by facsimile.

The administrative law judge will schedule a prehearing conference and other hearing-related matters. If any party will be represented by an attorney in this matter, the attorney should file an entry of appearance document at the above OAH address and serve a copy of that document on the other party as soon as possible.

DATED this 28<sup>th</sup> day of August, 2008.

By:   
\_\_\_\_\_  
Terry L. Thurbon  
Chief Administrative Law Judge

The undersigned certifies that on August 29, 2008, this Notice of Assignment was distributed to the following: Ward Hinger, (manager, Diagnostic Health Anchorage); Peter Gruenstein (counsel for Imaging Associates of Providence); Stacie Kraly, Assistant Attorney General. A courtesy copy was sent to the Office of the Commissioner of Health and Social Services.

  
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Neil Roberts

**BEFORE THE STATE OF ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON  
REFERRAL BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of )  
Diagnostic Health Anchorage ) OAH No. 08-0446-DHS  
\_\_\_\_\_ )

**SCHEDULING NOTICE**

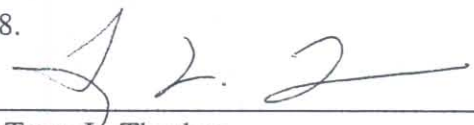
A telephonic case planning conference is scheduled in this matter for **Monday, September 8, 2008, at 2:00 p.m.** Alaska time. This conference will be combined with a case planning conference in *Matter of Imaging Associates of Providence* (Mat-Su Valley Imaging Facility), OAH No. 08-0447-DHS. These matters are related to a prior consolidated case (OAH Nos. 06-0743-DHS & 06-0764-DHS).

The first order of business will be to discuss whether the two new matters are suitable for consolidation or should proceed as separate cases. The second will be to discuss whether and, if so, how best to structure the proceedings to bring forward and supplement, as necessary and appropriate, the existing record for the prior consolidated case. A related subject will be whether the issues raised should be bifurcated or sequenced to reach a commissioner-level resolution on some before expending resources to hear others.

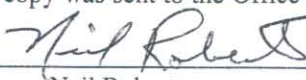
Other subjects for discussion at the conference include whether this matter can be resolved without an evidentiary hearing; when and where the hearing will be held, if one is necessary; and what, if any, prehearing actions such as depositions, briefing, exchange of documents or prefiling of exhibits should take place.

If any party has a conflict for the September 8<sup>th</sup> conference, that party should contact the other party/ies and, after conferring about alternate times during the week of September 8 or 15 when all parties can be available, contact OAH paralegal, Kim Rechin, at 907-465-1886, to reschedule. Each party should inform Ms. Rechin of the telephone number at which the party can be called for the prehearing conference.

DATED this 28<sup>th</sup> day of August, 2008.

By:   
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Terry L. Thurbon  
Chief Administrative Law Judge

The undersigned certifies that on August 29, 2008, this Scheduling Notice was distributed to the following: Peter Gruenstein, counsel for Imaging Associates of Providence; Stacie Kraly, Assistant Attorney General; Ward Hinger (Diagnostic Health Anchorage). A courtesy copy was sent to the Office of the Commissioner of Health and Social Services.

  
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Neil Roberts