

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

St. Joseph's Living Center,
Administrator of the Estate of Henrietta Bolander,

Plaintiff,

v.

Roderick L. Bremby,
in his official capacity as Commissioner of the
Connecticut Department of Social Services,

Defendant.

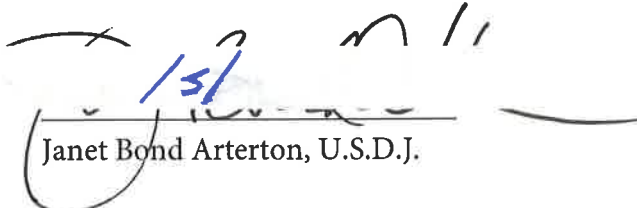
Civil No. 3:17-cv-385 (JBA)

ENDORSEMENT ORDER

Plaintiff, Administrator of the Estate of Henrietta Bolander, moves [Doc. # 22] for an order of preliminary injunction to enjoin Defendant Bremby (Commissioner of the Connecticut Department of Social Services, sued in his official capacity) from denying Plaintiff her due process rights, and for failing to afford Ms. Bolander, the disabled Plaintiff, Medicaid benefit and nursing facility services with reasonable promptness. Ms. Bolander died on September 28, 2016; the Plaintiff Administrator requested a hearing on December 29, 2016 regarding Defendant's January and March 2016 denials of Ms. Bolander's Medicaid application. Inasmuch as there is no allegation that Ms. Bolander was discharged from the nursing home facility as of the time of her death, the relief sought by injunction, no matter how characterized, is to recover the balance of unpaid Medicaid payments accrued for her care at St. Joseph's Living Center through the time of her death. That this result could be achieved through enforcement of Defendant's compliance with state and

federal regulations does not alter the reality that Plaintiff can show no irreparable harm, presumed or actual, only monetary damages, and Plaintiff's Motion for Preliminary Injunction must be denied.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to be 'Janet Bond Arterton', is written over a horizontal line. To the left of the signature, the number '131' is written in blue ink. There are some additional scribbles and marks above the signature line.

Janet Bond Arterton, U.S.D.J.

Dated at New Haven, Connecticut this 19th day of March 2018.