

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

MELISSA DEAN, INDIVIDUALLY AND AS : No. 657 MAL 2018
CO-ADMINISTRATOR OF THE ESTATE :
OF ANDREW E. JOHNSON AND :
CLIFTON EDWARD JOHNSON, :
INDIVIDUALLY AND AS CO- : Petition for Allowance of Appeal from
ADMINISTRATOR OF THE ESTATE OF : the Order of the Superior Court
ANDREW E. JOHNSON, :
:

Petitioners

v.

BOWLING GREEN-BRANDYWINE, CRC :
HEALTH GROUP, INC. (AND/OR) D/B/A :
CRC HEALTH GROUP, MOHAMMAD ALI :
KHAN, M.D., ASIM KHURSHID RANA, :
M.D., JENNERSVILLE REGIONAL :
HOSPITAL, JAMES DUNCKLEE, M.D., :
JENNIFER M. PLUMB M.D., SOUTHERN :
CHESTER COUNTY EMERGENCY :
ROOM ASSOCIATES, P.C., :

Respondents

ORDER

PER CURIAM

AND NOW, this 4th day of March, 2019, the Petition for Allowance of Appeal is
GRANTED. The issues, as stated by petitioner, are:

- a. Whether the Superior Court, in reviewing a nonsuit, properly applied the provisions of the Mental Health Procedures Act (“MHPA”) and the evidence in the light most favorable to the plaintiffs in granting limited immunity to a drug addiction treatment facility and its physicians where the individual who

died while under the care of the facility was not mentally ill and did not seek voluntary inpatient treatment for a mental illness.

- b. Whether the Superior Court properly applied fundamental notions of due process and the provisions of the Mental Health Procedures Act (“MHPA”) to an individual who did not give consent to voluntary treatment under the MHPA.