

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

MIDWEST CHRISTIAN VILLAGES, INC.
et al.,¹

Debtors.

Chapter 11

Case No. 24-42473-659

Jointly Administered

Related Docket Nos. 8 and 101

**NOTICE OF FILING INITIAL SELF-REPORTING AFFIDAVIT IN LIEU OF
APPOINTMENT OF PATIENT CARE OMBUDSMAN**

PLEASE TAKE NOTICE THAT on July 16, 2024, the Debtors filed the *Motion for Entry of an Order, Pursuant to section 333(A) of the Bankruptcy Code and Bankruptcy Rule 2007.2, (I) Waiving the Appointment of a Patient Care Ombudsman and (II) Allowing the Debtors to Self Report* (the “Motion”) [Docket No. 8].

PLEASE TAKE FURTHER NOTICE that on July 29, 2024, the Court entered the *Order Pursuant to Section 333(a) of the Bankruptcy Code and Bankruptcy Rule 2007.2 (I) Waiving Without Prejudice the Appointment of a Patient Care Ombudsman and (II) Allowing the Debtors to Self Report* (“Order”) ² [Docket No. 101], which excused the appointment of a patient care

¹ The address of the Debtors headquarters is 2 Cityplace Dr, Suite 200, Saint Louis, MO 63141-7390. The last four digits of the Debtors’ federal tax identification numbers are: (i) Midwest Christian Villages, Inc. [5009], (ii) Hickory Point Christian Village, Inc. [7659], (iii) Lewis Memorial Christian Village [3104], (iv) Senior Care Pharmacy Services, LLC [1176], (v) New Horizons PACE MO, LLC [4745], (vi) Risen Son Christian Village [9738], (vii) Spring River Christian Village, Inc. [1462], (viii) Christian Homes, Inc. [1562], (ix) Crown Point Christian Village, Inc. [4614], (x) Hoosier Christian Village, Inc. [3749], (xi) Johnson Christian Village Care Center, LLC [8262], (xii) River Birch Christian Village, LLC [7232], (xiii) Washington Village Estates, LLC [9088], (xiv) Christian Horizons Living LLC [4871], (xv) Wabash Christian Therapy and Medical Clinic, LLC [2894], (xvi) Wabash Christian Village Apartments, LLC [8352], (xvii) Wabash Estates, LLC [8743], (xviii) Safe Haven Hospice, LLC [6886], (xix) Heartland Christian Village, LLC [0196], (xx) Midwest Senior Ministries, Inc. [3401], (xxi) Shawnee Christian Nursing Center, LLC [0068], and (xxii) Safe Haven Hospice, LLC [6886] [filed on August 21, 2024].

² Capitalized terms used but not otherwise defined herein have the meanings given to them in the Motion or the Order, as applicable.



ombudsman and required the Debtors to self-report. Pursuant to the terms set forth in the Order, the Debtors hereby file the *Affidavit of Shawn O'Conner in Lieu of Appointment of a Patient Care Ombudsman*, attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE, that Debtors will provide a copy of this notice to: (a) the U.S. Trustee, (b) the Unsecured Creditors Committee, (c) any Residents or family members thereof who specifically request a copy of such affidavit or report, and (d) any state supervising authorities. Moreover, the Self-Reports will also be available on the website of Debtors' noticing and claims agent, Verita Global, at <http://www.veritaglobal.net/MCV>, or by accessing the Court's website at www.moeb.uscourts.gov. A PACER password is needed to access documents on the Court's website.

Dated: August 28, 2024
St. Louis, Missouri

Respectfully submitted,

DENTONS US LLP

/s/ Stephen O'Brien

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EXHIBIT A

Affidavit of Shawn O'Conner in Lieu of Appointment of a Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:

MIDWEST CHRISTIAN VILLAGES, INC.
et al.,¹

Debtors.

Chapter 11

Case No. 24-42473-659

Jointly Administered

Related Docket Nos. 8 and 101

NOTICE OF FIRST SELF-REPORT

I, Shawn O’Conner, hereby state and declare as follows:

1. I am over the age of twenty-one years old, have personal knowledge of the facts hereinafter set forth, and am fully competent to testify.

2. I am a Managing Director with Healthcare Management Partners, LLC and serve as the CRO to the Debtors in these chapter 11 cases.

3. The information included as **Exhibit 1**, attached and incorporated to this Affidavit, is responsive to the *Order Pursuant to Section 333(a) of the Bankruptcy Code and Bankruptcy Rule 2007.2 (I) Waiving Without Prejudice the Appointment of a Patient Care Ombudsman and (II) Allowing the Debtors to Self Report (“Order”)* [Docket No. 101], entered on July 29, 2024,

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which excused the appointment of a patient care ombudsman and required the Debtors to self-report. The information presented in **Exhibit 1** covers the period from July 16, 2024 through July 31, 2024 (the “Initial Reporting Period”). I have examined the information and affirm that the information is true and correct to the best of my personal knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Dated: August 28, 2024
St. Louis, Missouri

/s/ Shawn O’Conner
Shawn O’Conner

Exhibit 1

**DEBTORS' SELF REPORT IN LIEU OF APPOINTMENT OF A PATIENT CARE
OMBUDSMAN FOR THE INITIAL REPORTING PERIOD**

Exhibit 1

1. With respect to “Staff Members” (including W-2 employees or independent contractors, who are directly contracted with or by the Debtors, and individuals who, at the request of the Debtors, whether or not directly contracted with, provide any form of care to the Residents.), I report, for the period of July 16 through and including July 31, 2024:

- a. Staff Numbers:

<u>Position</u>	<u>Count</u>
Accountant	5
Administrator	12
Admission	1
Assistant Director of Nursing	3
Chaplain	8
CNA	465
Culinary	94
Culinary Manager	6
Director	25
Director of Nursing	5
Driver	8
Executive	5
Executive Assistant	3
Facility Support	65
Human Resources	9
Laundry	12
LPN	177
MDS	9
LPN Manager	11
Medication Aide	42
Manager	17
Office Support	49
Pharmacist	3
Pharmacy Tech	10
RN	71
RN Manager	3
Scheduler	5
Supportive Aide	41
Supervisor	13
Social Worker	2
Transportation Aide	9
Wellness	23
COTA	15
OT	18
PT	13
PTA	25
SLP	10
Therapy Wellness	6

2. With respect to “Staff Members” and the status or standing of any licenses held by staff members, I report, for the period of July 16 through and including July 31, 2024:
 - a. Debtors, to the best of their knowledge, believe that all “Staff Members” licenses are active with no disciplinary actions pending.
3. With respect to “Staff Members” and any formal complaints made by Residents or families of Residents concerning the type and level of care provided (“Care”) by the Staff Members at the Debtors’ facilities, I report, for the period of July 16 through and including July 31, 2024:
 - a. This question is answered in the section below with respect to any formal complaints made by Residents or families of Residents concerning the type and level of care provided (“Care”) by the Staff Members at the Debtors’ facilities.
4. With respect to staffing changes and any material increase or decrease in the number of staff members, I report, for the period of July 16 through and including July 31, 2024:
 - a. No material changes for the reporting period.
5. With respect to Patient/Resident Records: Report on the measures taken by the Debtors to continue securing Resident records at the facilities.
 - a. Electronic records are password protected with access restricted to those authorized. Paper records are kept locked in files in the medical records office with access limited to authorized personnel.
6. With respect to any formal complaints made by vendors raised by the Debtors’ vendors regarding payment or ordering issues, I report, for the period of July 16 through and including July 31, 2024:
 - a. No formal complaints were made during the reporting period.
7. With respect to any formal complaints made by Residents or families of Residents concerning the type and level of care provided (“Care”) by the Staff Members at the Debtors’ facilities, I report, for the period of July 16 through and including July 31, 2024:
 - a. Survey Activity:
 - i. Hickory Point Christian Village:
 1. Complaint Survey by State Agency on 7/18/24 with no findings or deficient practices found.

ii. Lewis Memorial Christian Village:

1. Complaint Survey by State Agency on 7/18/24 with no findings or deficient practices found.

b. Grievances:

i. Hickory Point Christian Village:

1. Resident expressed a concern that a transportation aide was rude. Education was provided to the staff member on Customer Service and grievance was closed out.
2. Resident expressed a concern with timely assistance for dressing and bathing. Care was provided timely, and grievance was closed out.
3. Resident expressed a concern that their call light was not answered timely. Education was provided to staff members and grievance was closed out.

ii. Lewis Memorial Christian Village:

1. Resident expressed concerns with the activity schedule and dining menus. The Activity Calendar and Menus were reviewed to ensure they meet the required standard and grievance was closed out.
2. Resident expressed concerns with medication delivery in the evenings. Medication Delivery was reviewed by the Director of Nursing to ensure no concerns, and the grievance was closed out.
3. Resident reported they lost their hearing aide. An investigation resulted in finding the lost hearing aid and the grievance was closed out.
4. Resident expressed concerns with their dinner tray. Certified Dietary Manger reviewed meal delivery, and the grievance was closed out.
5. Resident expressed concerns with trash can liners missing. The liners were replaced, and the grievance was closed out.
6. Resident expressed concerns that they lost their shoes. Shoes were found, and the grievance was closed out.
7. Resident expressed concerns that they lost their slippers and clothes hangers. The items were located, and the grievance was closed out.
8. Resident expressed concerns that their glasses were missing. The glasses were located, and the grievance was closed out.

iii. The Hoosier Christian Village:

1. Resident expressed concern with resident funds. The Regional Ombudsman was notified, and grievance was closed out.

iv. Crown Point Christian Village:

1. Resident expressed concerns with a missing item. The item was located, and the grievance was closed out.
2. Resident expressed concern with shower. The shower schedule was reviewed by the Director of Nursing, and the grievance was closed out.
3. Resident expressed concern with the dining menu. The menu and resident preferences were reviewed by the Dietary Manager, and the grievance was closed out.
4. Resident expressed concerns with a missing item. The item was located, and the grievance was closed out.
5. Resident expressed concerns with their phone not working. The phone was repaired, and the grievance was closed out.
6. Resident expressed concerns with a missing item. The item was located, and the grievance was closed out.
7. Resident expressed concerns about a broken zipper. The item was replaced, and the grievance was closed out.

v. Washington Supportive Living:

1. Resident expressed a concern with missing items. The items were replaced, and the grievance was closed out.
2. Resident expressed a concern with a disagreement with another resident. Resident meeting was held, and the grievance was closed out.
3. Resident expressed a concern with an assistive device. Management met with the resident to resolve the concern, and the grievance was closed out.
4. Resident expressed a concern with their apartment cleaning schedule. Management met with the resident to establish a new schedule, and the grievance was closed out.

8. Litigation: Report any post-petition litigation or administrative actions initiated post-petition against the Debtors, and the status of any pending administrative actions against the Debtors.

a. There has been no post-petition litigation.

9. Expansion/Closures: Report any plans to open or close any part of the Debtors' facilities.

a. There are no plans to open or close any part of the Debtors' facilities.

10. With respect to the Condition of Facilities noted herein are each being addressed on a go-forward basis. Each existed as of the time of filing. They are being noted in this report because

the issues have not fully resolved yet and in the interest of full disclosure. I report, for the period of July 16 through and including July 31, 2024:

a. Risen Son Christian Village:

- i. Wastewater Treatment Plant is treated by an onsite wastewater treatment plant. The wastewater treatment plant is currently not in compliance with Iowa Department of Natural Resources (IDNR) regulations. Immediate repairs are needed to make this plant operate within regulations and the civil engineer has estimated the cost of these repairs to be \$60,000.00. The civil engineer has prepared plans for a lift station and force main that would connect the community to the Council Bluffs municipal sewer system. These plans have been submitted to both IDNR and to Council Bluffs, with approvals to proceed received. The engineer has estimated the cost of this work at \$1,500,000.00. The engineer has also estimated the cost to replace the existing wastewater treatment plant with a package system at \$3,000,000.00.

b. Crown Point Christian Village:

- i. HVAC Repairs needed in the main building which is a loop system and fin-tube radiators in each room. Air handling units are installed in the larger areas (dining, corridors, nursing stations, etc.). These air handlers are also connected to the loop system. The Debtor is leasing a temporary chiller each month to ensure the HVAC operates appropriately.
- ii. Wastewater Treatment plant is currently treated by an on-site wastewater treatment plant, which is currently in compliance with the Indiana Department of Environmental Management. The Town of Winfield and Indiana Department of Environmental Management have requested the plant be connected to the Winfield Municipal Sewer System. Civil Engineers estimated cost is \$500,000.00.

c. Lewis Memorial Christian Village

- i. The roof of the skilled nursing building is a membrane roof that was not installed correctly and never adhered to the roof deck. Temporary steps have been implemented to prevent or minimize leaking during heavy storms.

d. River Birch Christian Village

- i. The unoccupied northern building (4008 Cockrell Lane) suffered severe internal water damage from a sprinkler pipe break in December 2022. Much of the interior has been gutted but reconstruction has never begun.

11. With respect to Life-Safety Issues, I report, for the period of July 16 through and including July 31, 2024:

- a. No Life-Safety Issues during the reporting period.