

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, 101, 229, 372

**NOTICE OF FILING THIRD 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 § 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*

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].



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to *Self Report* (“Order”)² [Docket No. 101], which excused the appointment of a patient care ombudsman and required the Debtors to self-report.

PLEASE TAKE FURTHER NOTICE, that pursuant to the terms set forth in the Order, the Debtors hereby file the *Third 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: October 28, 2024
St. Louis, Missouri

Respectfully submitted,

DENTONS US LLP

/s/ Stephen O’Brien

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

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EXHIBIT A

**Third 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 THIRD 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,

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].

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 September 1, 2024 through September 30, 2024. 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: October 28, 2024
St. Louis, Missouri

/s/ Shawn O'Conner
Shawn O'Conner

Exhibit 1

**DEBTORS' THIRD SELF REPORT IN LIEU OF APPOINTMENT OF A PATIENT
CARE OMBUDSMAN FOR THE 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 September 1 through and including September 30, 2024:

- a. Staff Numbers:

<u>Position</u>	<u>Count</u>
Accountant	5
Administrator	11
Admission	1
Assistant Director of Nursing	1
Chaplain	7
CNA	489
Culinary	106
Culinary Manager	6
Director	25
Director of Nursing	5
Driver	7
Executive	5
Executive Assistant	3
Facility Support	67
Human Resources	9
Laundry	12
LPN	203
LPNMgr	16
Medication Aide	42
Manager	19
Office Support	50
Pharmacist	3
Pharmacy Tech	10
RN	74
RN Manager	13
Scheduler	4
Supportive Aide	40
Supervisor	12
Social Worker	3
Transportation Aide	9
Wellness	25
SLP	10
COTA	17
OT	17
PT	14
PTA	20
Therapy Wellness	1

2. With respect to “Staff Members” and the status or standing of any licenses held by staff members, I report, for the period of September 1 through and including September 30, 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 September 1 through and including September 30, 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 September 1 through and including September 30, 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 September 1 through and including September 30, 2024:
 - a. No formal vendor complaints during the 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 September 1 through and including September 30, 2024:
 - a. Survey Activity:
 - i. Crown Point Christian Village
 1. Complaint Survey by State Agency on 9/5/24 that was cleared via desk review on 10/4/24.
 - ii. Hoosier Christian Village:
 1. Complaint Survey by State Agency on 9/4/2024 with no findings or deficient practices found.
 - iii. Hickory Point Christian Village:
 1. Complaint Survey by State Agency on 9/3/24 that was cleared on revisit that occurred 10/3/24.
 - iv. Lewis Memorial Christian Village:
 1. Complaint Survey by State Agency on 9/10/24 with no findings or deficient practices found.

2. Complaint Survey by State Agency on 9/12/24 with no findings or deficient practices found.
3. Complaint Survey by State Agency on 9/20/24 with no findings or deficient practices found.
4. Annual Recertification Survey conducted by State Agency starting on 9/26/24. All findings and deficiencies identified were corrected and acceptable plan of correction submitted to the State Agency.
- v. Spring River Christian Visit:
 1. State Agency conducted a revisit from their Annual Recertification Survey on 9/17/24 and community is in substantial compliance.
 2. Semi Annual Fire Alarm Inspection conducted on 9/12/24 and community is in compliance.
- b. Grievances:
 - i. Crown Point Christian Village:
 1. Resident expressed a concern with lost items. The items were not on the inventory list and the Responsible Party instructed the community to disregard the complaint.
 2. Resident requested more assistance with care, community addressed the request.
 3. Resident expressed a concern with their foley catheter sizing and with staff announcing their names prior to entering the room. Catheter was replaced and staff educated on announcing their presence.
 4. Resident expressed a concern with the low air loss mattress. Community replaced the low air loss mattress with a new mattress.
 5. Resident expressed a concern with the menu. The community met with the resident to confirm preferences for future meals.
 6. Resident expressed a concern with a caregivers approach. Community addressed concern and educated the caregiver.
 7. Resident expressed a concern with the outside ambulance service. Vendor was contacted by the community to make them aware.
 8. Resident expressed a concern with their wait time for care and being dressed in time for an appointment. Community ensured the resident was up and dressed on time for their appointment.
 9. Resident expressed a concern with medications. The Nursing Supervisor addressed the residents' requests.
 10. Resident expressed a concern that the menu did not match the meal being served. The community confirmed the menu and meal served did match.
 11. Resident requested more assistance in Assisted Living when returning from activities. Caregivers educated to provide more assistance when ambulating to and from activities.

12. Resident expressed a concern with missing clothing. Community was able to locate the items.
 13. Resident expressed a concern with their roommate. Community was able to relocate the residents to another room with better roommate compatibility.
 14. Resident expressed a concern with medication delivery. Community nursing administration verified the physician order to confirm accuracy and resolved the concern.
 15. Resident's Responsible Party expressed a concern with the resident's eyebrow. Responsible Party concern addressed, and they were satisfied.
 16. Resident expressed a concern with timing of care. Community addressed the resident's concern and resolved timing.
- ii. Hoosier Christian Village:
1. Resident's Responsible Party expressed a concern with more timely communication. Concern was addressed by community leadership.
 2. Resident expressed a concern with call light response times and medication delivery. Concerns were addressed by community leadership.
 3. Resident expressed a concern with not being dressed properly for the day and their water not being within reach. Concerns were addressed by community leadership.
- iii. Hickory Point Christian Village:
1. Resident expressed a concern with being in her chair for extended periods and requested the ability to be able to text caregivers. Resident was educated that caregivers cannot receive text communication and staff educated on resident preference for chair time.
 2. Resident expressed a concern with noise levels of doors and "loud talking". Staff were educated on maintaining a quiet environment and community conducted audits to resolve resident's concern.
 3. Resident expressed a concern with a nurse rushing in during skin audits. Staff were educated and concern resolved.
 4. Resident requested more shower times. Request was resolved.
 5. Resident expressed she loaned a magazine to a caregiver and requested it back. Magazine was located and resident happy with the resolution.
 6. Resident expressed a concern with missing clothing. Items were located.
 7. Resident expressed a concern that their room was cold. Temperature adjusted and resident happy with resolution.

8. Resident expressed a concern with options at meal times. Preferences updated and concern addressed.
 9. Resident requested to have insulin switched to sliding scale and a sleep aide. Physician was contacted to obtain appropriate orders.
 10. Resident expressed a concern with call light response times. Concern was addressed.
 11. Resident expressed a concern with needing toilet paper and batteries. Items were provided and concern resolved.
 12. Resident expressed a concern that a nurse would not administer pain medications. Review of physician orders and medication administration found that resident was requesting medication outside of ordered frequency which is not allowed by regulation.
 13. Resident requested a shower after missing their shower time. Shower was provided upon request.
- iv. Lewis Memorial Christian Village:
1. Resident reported missing a partial denture. Community is working with the resident and provider on replacing.
 2. Resident reported their phone was missing. Phone was located in resident's laundry.
 3. Resident reported missing clothing. Items have been replaced and concern resolved.
 4. Resident requested to be transferred to another community. Community is working with the resident and other locations on a possible transfer to the community of their choice.
 5. Resident expressed a concern with a missing shirt. The item was found and concern resolved.
 6. Resident expressed a concern with an outside transportation company. Issue was resolved with the resident and vendor.
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. I report, for the period of September 1 through and including September 30, 2024:
- a. No new events to report
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. I report, for the period of September 1 through and including September 30, 2024:
- a. Risen Son Christian Village:
 - i. Existed as of the time of filing. They are being noted in this report because the issues have not been fully resolved yet and in the interest of full disclosure. 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.

- ii. HVAC replacement was needed and completed for \$5,500.00
 - iii. Window and door replacement needed for apartments completed for \$10,918.00.
- b. Crown Point Christian Village:
- i. Existed as of the time of filing. They are being noted in this report because the issues have not been fully resolved yet and in the interest of full disclosure. 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. Existed as of the time of filing. They are being noted in this report because the issues have not been fully resolved yet and in the interest of full disclosure. Wastewater 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. Existed as of the time of filing. They are being noted in this report because the issues have not been fully resolved yet and in the interest of full disclosure. 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. Existed as of the time of filing. They are being noted in this report because the issues have not been fully resolved yet and in the interest of full disclosure. 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.

- e. Hoosier Christian Village:
 - i. Hot water tank needed replaced and was completed on 9/6/24 for \$18,000.00.
 - ii. HVAC Repair was needed. Work was completed on 9/20/24 for \$2,000.00.
 - f. Wabash Christian Supportive Living:
 - i. Carpet and vinyl flooring replaced for new move-ins on 9/9/24 for \$11,208.00.
11. With respect to Life-Safety Issues, I report, for the period of September 1 through and including September 30, 2024:
- a. No life safety issues to report.