

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, and 413

**NOTICE OF FILING FOURTH 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 *Fourth 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: November 26, 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

**Fourth 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

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Related Docket Nos. 8, 101, 229,
372 and 413

NOTICE OF FOURTH 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 October 1, 2024 through October 31, 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: November 26, 2024
St. Louis, Missouri

/s/ Shawn O'Conner
Shawn O'Conner
Healthcare Management Partners, LLC

Exhibit 1

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

Exhibit 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 October 1 through and including October 31, 2024:

a. Staff Numbers:

<u>Position</u>	<u>Count</u>
Accountant	5
Administrator	13
Admission	1
Assistant Director of Nursing	2
Chaplain	8
CNA	556
Culinary	112
Culinary Manager	6
Director	26
Director of Nursing	5
Driver	8
Executive	5
Executive Assistant	3
Facility Support	75
Human Resources	9
Laundry	12
LPN	271
LPN Manager	14
Medication Aide	47
Manager	21
Office Support	52
Pharmacist	4
Pharmacy Tech	10
RN	92
RN Manager	16
Scheduler	7
Supportive Aide	47
Supervisor	13
Social Worker	3
Transportation Aide	9
Wellness	28
SLP	13
COTA	18
OT	19
PT	15
PTA	20
Therapy Wellness	1

- With respect to “Staff Members” and the status or standing of any licenses held by staff members, I report, for the period of October 1 through and including October 31, 2024:
 - a. Debtors, to the best of their knowledge, believe that all “Staff Members” licenses are active with no disciplinary actions pending.
- 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 October 1 through and including October 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.
- With respect to staffing changes and any material increase or decrease in the number of staff members, I report, for the period of October 1 through and including October 31, 2024:
 - a. No material changes for the reporting period.
- 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.
- 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 October 1 through and including October 31, 2024:
 - a. No formal vendor complaints during the period.
- 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 October 1 through and including October 31, 2024:
 - a. Survey Activity:
 - i. Hoosier Christian Village:
 - 1. An annual recertification survey was conducted by the State Agency October 24 through October 30, 2024. An acceptable plan of correction was submitted and approved by the State Agency.
 - ii. Hickory Point Christian Village:
 - 1. A follow up survey by the state agency was conducted on October 3, 2024, to clear a self-report. No Findings.
 - iii. Lewis Memorial Christian Village:
 - 1. The State Agency conducted a follow up survey on October 23, 2024, to confirm substantial compliance. One citation for infection control was not cleared.
 - 2. State Agency conducted a follow up survey on October 28, 2024 in relation to the infection control concern on October 23, 2024. The

citation was cleared and the community is in substantial compliance.

iv. River Birch Christian Village:

1. The State Agency conducted a complaint survey related to a fall on October 29, 2024. No findings and community in substantial compliance.

v. The Christian Village:

1. An annual recertification survey was completed on October 2, 2024. Two minor violations were identified and later corrected with an acceptable plan of correction submitted.

vi. Wabash Christian Supportive Living:

1. State agency conducted a follow up on October 8, 2024 related to their annual recertification survey with no findings.

b. Grievances:

i. Crown Point Christian Village:

1. Resident expressed a concern with their hearing aid not working on 10/1/2024. Item was under warranty and fixed.
2. Resident expressed questions regarding nursing care and questions addressed with no concerns.
3. Resident expressed a concern with DME availability on 10/2/2024. Nursing was able to provide the requested DME.
4. Resident expressed a concern with a missing item on 10/2/2024. Missing item was located and provided to the resident.
5. Resident expressed a question regarding nursing care. Question was answered and concern resolved.
6. Resident expressed a concern with missing their shower on 10/8/2024. Shower was given and concern resolved.
7. Resident reported their glasses missing on 10/11/2024. Glasses were found and given to the resident.
8. Resident expressed a concern with customer services on 10/12/2024. The concern was addressed and resolved.
9. Resident expressed a concern with missing clothing on 10/21/2024. This was resolved with no concerns.
10. Resident expressed a concern with care and customer service. Additional training was provided on 10/29/24 and concern was resolved.
11. Resident expressed a concern with call light response time on 10/29/24. Additional training was provided, and concern was resolved.
12. Resident expressed a concern with the discharge process. Additional training was provided and concern was resolved.
13. Resident expressed a concern with needing supplies with care. Supplies were provided and concern resolved.

14. Resident expressed a concern with care preferences related to call light and shower. Preferences were updated and concerns were resolved.
- ii. Hoosier Christian Village:
 1. Resident expressed a concern with call light response. Additional education was provided to associates and concern was resolved.
- iii. Hickory Point Christian Village:
 1. Resident expressed a concern that she felt an associate was rude. Education was provided and concern resolved.
 2. Resident expressed a desire to leave against medical advice. Resident and responsible party was educated on the appropriate discharge planning process and concern resolved.
 3. Resident expressed a concern with call light response times and medication administration. Additional education was provided to care associates and concern was resolved.
 4. Resident responsible party expressed concern regarding communication from nurses. Family was updated on the plan of care and associates were educated on improved communication. Concern was resolved.
- iv. Lewis Memorial Christian Village:
 1. Resident reported missing \$21.00. Money was found in clothing and returned to the resident.
 2. Resident expressed a concern with nursing care, specifically related to instructions regarding their chest tube. Chest Tube instructions and supplies received from the hospital and concern was resolved.
 3. Resident responsible party expressed a concern with showers and requested a change to POA paperwork. Resident shower was given and concern resolved. Residents declined to have their POA changed and concern resolved.
- v. River Birch Christian Village:
 1. Resident alerted the community that she believes her sister is abusing her financial and medical power. This was reported to the state agency who found no evidence of the concern. This was also reported to APS for an investigation.
- vi. Wabash Christian Supportive Living:
 1. There was an allegation of abuse on 10/4/24. This was reported and investigated by the state agency with no findings.
- vii. Supportive Living of Washington:
 1. Resident expressed she was missing seven pairs of pants. All pants were found in her drawer.

- 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 October 1 through and including October 31, 2024:
 - a. Safe Haven Hospice:
 - i. Notice of dismissal on Illinois Department of Human Rights related to Jose Hernandez v. Cara Reynolds.
 - b. Lewis Memorial Christian Village:
 - i. Response to request for information from the Illinois Department of Human Rights related to Lovelace case.
 - ii. Request for information received from the Illinois Department of Human Rights related to Sierra Marshall.
- 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.
- With respect to the Condition of Facilities noted herein are each being addressed on a go-forward basis. I report, for the period of October 1 through and including October 31, 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.
 - 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 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. 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. Garden Home needed repairs to lease the space and work was completed 10/24/24 for \$5,800.00.
- With respect to Life-Safety Issues, I report, for the period of October 1 through and including October 31, 2024:
 - a. Lewis Memorial Christian Village:
 - i. Annual life safety survey was conducted and all concerns were corrected and substantial compliance received on 11/4/2024.