

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, 413, 499 and 542

**NOTICE OF FILING SIXTH 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 *Sixth 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: January 24, 2025
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

**Sixth 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, 101, 229,
372, 413, 499 and 542

NOTICE OF SIXTH 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 December 1, 2024 through December 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: January 24, 2025
St. Louis, Missouri

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

Exhibit 1

**DEBTORS' SIXTH 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 December 1 through and including December 31, 2024:

a. Staff Numbers:

<u>Position</u>	<u>Count</u>
Accountant	5
Administrator	12
Admission	1
Assistant Director of Nursing	2
Chaplain	7
CNA	487
Culinary	116
Culinary Manager	6
Director	25
Director of Nursing	8
Driver	7
Executive	5
Executive Assistant	3
Facility Support	80
Human Resources	16
Laundry	12
LPN	262
LPN Manager	13
Medication Aide	47
Manager	20
Office Support	53
Pharmacist	4
Pharmacy Tech	10
RN	92
RN Manager	12
Scheduler	5
Supportive Aide	48
Supervisor	12
Social Worker	3
Transportation Aide	11
Wellness	27
SLP	12
COTA	15
OT	14
PT	13
PTA	17
Therapy Wellness	5

- With respect to “Staff Members” and the status or standing of any licenses held by staff members, I report, for the period of December 1 through and including December 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 December 1 through and including December 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 December 1 through and including December 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 December 1 through and including December 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 December 1 through and including December 31, 2024:
 - a. Survey Activity:
 - i. Crown Point Christian Village:
 - 1. An unannounced complaint survey was conducted by the state agency on 12/19/2024. The plan of correction was accepted by the state agency and community is in substantial compliance.
 - ii. Hickory Point Christian Village:
 - 1. An unannounced complaint survey was conducted by the state agency on 12/6/2024. The plan of correction was accepted by the state agency and the community is in substantial compliance.
 - iii. Lewis Memorial Christian Village:
 - 1. An unannounced complaint survey was conducted by the state agency on 12/10/2024. No findings and the community is in substantial compliance.

2. An unannounced complaint survey was conducted by the state agency on 12/24/2024. No findings and the community is in substantial compliance.
- iv. Wabash Cristian Village:
 1. Annual recertification survey with IHDA on 12/10/2024 and no concerns identified.
- b. Grievances:
 - i. Crown Point Christian Village:
 1. Resident expressed a concern on 12/3/2024 related to not receiving a shower that day. Resident shower was provided and no further concerns.
 2. Resident reported their phone charging block was missing on 12/3/2024. Item was located and returned to the resident on the same day with no further concerns.
 3. Resident expressed a concern with their stay and wished to be transferred home on 12/4/2024. Resident was safely discharged home and no further concerns.
 4. Resident expressed a concern that they did not receive a shower as scheduled on 12/4/2024. Documentation and interviews showed that resident had refused shower as originally offered. No further concerns.
 5. Resident's Responsible Party reported two coats missing on 12/4/2024. One of the items was located in laundry and family requested the other item be replaced. No further concerns noted.
 6. Resident reported a clothing items missing on 12/5/2024. The item was not located, but was replaced by the community and no further concerns we noted.
 7. Resident reported they did not receive a meal ticket on 12/11/2024 to select their meal choices. Caregiver provided the resident with the menu to select meal options. No further concerns were noted.
 8. Resident reported their birthday cake was misplaced on 12/11/2024. Caregivers ensured the resident got a new birthday cake and no further concerns noted.
 9. Resident alleged that a caregiver was rough during care on 12/12/2024. After a self-report to the state agencies and a thorough investigation, the incident was unsubstantiated and no further concerns were noted.
 10. Resident expressed a concern with not enjoying dinner on 12/12/2024. Resident was offered an alternate menu item and no further concerns.
 11. Resident expressed a concern that she missed her meal while at an appointment off site on 12/13/2024. Resident was offered and received a meal. No further concerns were noted.

12. Resident expressed a concern with staff cell phone use during meal times on 12/16/2024. Staff member was reeducated on appropriate time and place to use personal cell phones.
13. Resident expressed a concern with call light response times on 12/16/2024. Staff were educated and audits initiated to ensure resident needs met timely. No further concerns were noted.
14. Resident's Responsible Party expressed concern with resident's glasses on 12/18/2024. New glasses were ordered and no further concerns.
15. Resident expressed a concern with needing a new nightstand on 12/18/2024. Nightstand as provided per request and no further concerns.
16. Resident expressed a concern with wait times on 12/18/2024. Staff were educated and audits implemented with no further concerns.
17. Resident reported a ring was missing on 12/27/2024. The ring was found in the resident's room and no further concerns.
18. Resident expressed a concern with a nurse not fully explaining their treatment prior to administration on 12/30/2024. The nurse was educated and the resident had no further concerns.

ii. Hickory Point Christian Village:

1. Resident expressed a concern with unprofessional communication by a caregiver on 12/3/2024. Caregivers were educated and the alleged caregiver was terminated with no further concerns noted.
2. Resident expressed a concern with meds not being delivered timely on 12/4/2024. Medications were provided as ordered and no further concerns.
3. Resident expressed a concern with showers on 12/10/2024. The shower schedule was reviewed and showers scheduled on a routine basis at resident's request. No further concerns were noted.
4. Resident expressed a concern with medication delivery times on 12/11/2024. Caregivers were educated and no further concerns were noted.

iii. Risen Son Christian Village:

1. Resident requested a medication they received in the hospital on 12/5/2024. The attending physician refused to prescribe the medication and resident left the community against medical advice.

iv. Washington Christian Village:

1. Two residents experienced an argument on 12/10/2024. Executive Director was able to deescalate the situation and get the two to apologize and no further concerns.

- 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 December 1 through and including December 31, 2024:

- a. Iowa Civil Rights Commission/EEOC initial submission received in reporting period.
- b. Illinois Human Rights Commission complainant requested a review of the determination of no discrimination that is due in January. Complainant did not provide any additional facts when requesting the review. In January we received a response to the review from the Illinois Department of Human Rights that the Commission will enter an Order sustaining the dismissal of Complainant's charge for lack of substantial evidence.
- 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 December 1 through and including December 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 is 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.
 - ii. Door at employee entrance was malfunctioning and required a code at all times to enter. The maglock was antiquated and required replacement, which was done for \$3,183.00.
- d. The Christian Village (Lincoln, IL):
 - i. Main heater element was replaced due to unable to repair.
- e. 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.
- With respect to Life-Safety Issues, I report, for the period of December 1 through and including December 31, 2024:
 - a. Crown Point Christian Village:
 - i. Elevator was inspected on 12/12/2024 and a sensor guard was not functioning properly. The elevator was repaired and in full compliance.
 - b. River Birch Christian Living:
 - i. Elevator in house two was presenting an error code on 12/29/2024. Lifts of America was able to come out and ensure the elevator was functioning properly with no error codes. The elevator passed all inspections.