

Dated: November 1, 2024

The following is ORDERED:



Janice D. Loyd
U.S. Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

	X	
In re	:	
	:	Chapter 11
HOSPITAL FOR SPECIAL SURGERY, LLC	:	
<i>Db</i> a ONECORE HEALTH,	:	Case No. 24-12862-JDL
	:	
Debtor.	:	
	X	

FINAL ORDER (I) AUTHORIZING DEBTOR TO (A) CONTINUE INSURANCE COVERAGE ENTERED INTO PREPETITION AND SATISFY PREPETITION OBLIGATIONS RELATED THERETO, (B) RENEW, AMEND, SUPPLEMENT, EXTEND, OR PURCHASE INSURANCE POLICIES, (C) HONOR THE TERMS OF THE PREMIUM FINANCING AGREEMENT AND PAY PREMIUMS THEREUNDER, (D) ENTER INTO NEW PREMIUM FINANCE AGREEMENTS IN THE ORDINARY COURSE OF BUSINESS; (II) AUTHORIZING BANKS TO HONOR AND PROCESS CHECK AND ELECTRONIC TRANSFER REQUESTS RELATED THERETO; AND (III) GRANTING RELATED RELIEF

Upon the motion (the “Motion”)¹ of Hospital for Special Surgery, LLC *dba* OneCore Health (“OneCore” or “Debtor”) for entry of an interim order and a final order (this

¹ Capitalized terms not otherwise defined herein are to be given the meanings ascribed to them in the Motion.



“Final Order”) pursuant to sections 105, 363, 364, 1107(a) and 1108 of title 11 of the United States Code, 11 U.S.C. §§ 101-1532, as in effect and hereafter amended (the “Bankruptcy Code”), rules 6003 and 6004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and rule 9013-1 of the Local Rules for the United States Bankruptcy Court for the Western District of Oklahoma (the “Local Bankruptcy Rules”), (i) authorizing Debtor to (a) continue insurance coverage entered into prepetition and satisfy obligations related thereto in the ordinary course of business, (b) renew, amend, supplement, extend, or purchase insurance coverage in the ordinary course of business on a postpetition basis, (c) honor the terms of the Premium Finance Agreement (as defined herein) and pay premiums thereunder, (d) enter into new premium finance agreements in the ordinary course of business; (ii) authorizing the banks and other financial institutions (collectively, the “Banks”) to honor and process checks and electronic transfer requests related to the foregoing; and (iii) granting related relief; and this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and rule 81.4 of the Local Civil Rules of the United States District Court for the Western District of Oklahoma; and venue of this chapter 11 case and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28 U.S.C. § 157(b); and this Court having found that the Motion was filed on October 7, 2024, and served on or before October 7, 2024 and that the final response deadline to the Motion expired on November 1, 2024; and objections (if any) to the Motion having been withdrawn, resolved or overruled on the merits; and this Court having found that proper and adequate notice of the Motion and the relief requested therein has been provided in accordance with the Bankruptcy Rules and the Local Bankruptcy Rules of the United States Bankruptcy Court for the Western District of Oklahoma, and that, except as otherwise ordered herein, no other or further notice is necessary; and a hearing having been held to consider the relief

requested in the Motion and upon the record of the hearing and all of the proceedings had before this Court; and this Court having found and determined that the relief sought in the Motion is in the best interests of the Debtor, its estate, its creditors and all other parties-in-interest; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein on a final basis.
2. Debtor is authorized, but not directed, to maintain and continue the Insurance Policies without interruption and to pay any undisputed postpetition obligations related to the Insurance Policies and including premiums, claims, deductibles, retrospective adjustments, administrative fees, and any other obligations that become payable, in accordance with and in the amounts consistent with the same practices and procedures as were in effect prior to the commencement of the Chapter 11 Cases, and enter into, renew, amend, supplement, extend, and/or purchase insurance policies (including through obtaining “tail” coverage) to the extent that Debtor determines that such action is in the best interest of its estate in accordance with the ordinary course of business.
3. Debtor is authorized, but not directed, to honor the terms of any existing Premium Finance Agreements and pay premiums thereunder in the ordinary course of business.
4. Consistent with the Interim Cash Management Order and the Final Cash Management Order, Banks on which checks were drawn or electronic payment requests made in payment of the prepetition obligations approved herein are authorized to receive, process, honor, and pay all such checks and electronic payment requests when presented for payment, and all such

banks and financial institutions are authorized to rely on Debtor's designation of any particular check or electronic payment request as approved by this Order.

5. Notwithstanding the relief granted in the Interim Order and this Final Order and any actions taken pursuant to such relief, nothing in the Interim Order or this Final Order shall be deemed: (a) an admission as to the amount of, basis for, or validity of any claim against Debtor under the Bankruptcy Code or other applicable non-bankruptcy law; (b) a waiver of Debtor's or any other party in interest's right to dispute any claim on any grounds; (c) a promise or requirement to pay any claim; (d) an implication or admission that any particular claim is of a type specified or defined in the Interim Order, this Final Order or the Motion or a finding that any particular claim is an administrative expense claim or other priority claim; (e) a request or authorization to assume, adopt, or reject any agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code; (f) an admission as to the validity, priority, enforceability, or perfection of any lien on, security interest in, or other encumbrance on property of Debtor's estate; (g) a waiver or limitation of Debtor's, or any other party in interest's rights under the Bankruptcy Code or any other applicable law; or (h) a concession by Debtor that any liens (contractual, common law, statutory, or otherwise) that may be satisfied pursuant to the relief requested in the Motion are valid, and the rights of all parties in interest are expressly reserved to contest the extent, validity, or perfection or seek avoidance of all such liens.

6. Debtor is authorized to issue postpetition checks, or to effect postpetition fund transfer requests, in replacement of any checks or fund transfer requests that are dishonored as a consequence of this Chapter 11 Case with respect to prepetition amounts owed in connection with the relief granted herein.

7. Notwithstanding the relief granted in the Interim Order or this Final Order, any payment made or to be made by Debtor pursuant to the authority granted herein shall be subject to and in compliance with the Approved Budget and in accordance with the Interim Cash Collateral Order and the Final Cash Collateral Order.

8. Notwithstanding Bankruptcy Rule 6004(h), the terms and conditions of this Final Order are immediately effective upon its entry.

9. Debtor is authorized to take all actions necessary to effectuate the relief granted in the Interim Order and this Final Order in accordance with the Motion.

10. This Court retains jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of the Interim Order and this Final Order.

11. Findings of fact are based on representations of counsel.

12. Debtor shall serve this Final Order on parties in interest appearing on the Distribution Service List in accordance with, and as such term is defined in, the *Order Authorizing Limited Notice and Establishing Notice Procedures* [Dkt. No. 9].

IT IS SO ORDERED.

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Approved for Entry:

ONECORE

/s/Craig M. Regens

William H. Hoch, OBA #15788

Craig M. Regens, OBA #22894

Mark A. Craige, OBA #1992

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