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9 **UNITED STATES BANKRUPTCY COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **LOS ANGELES DIVISION**

12 In re:) Lead Case No.: 2:18-bk-20151-ER

13 **VERITY HEALTH SYSTEM OF**
14 **CALIFORNIA, INC. et al.,**

15 Debtor(s).

- 16 Affects All Debtors
- 17 Affects Verity Health System of California, Inc.
- 18 Affects O'Connor Hospital
- 19 Affects Saint Louise Regional Hospital
- 20 Affects St. Francis Medical Center
- 21 Affects St. Vincent Medical Center
- 22 Affects Seton Medical Center
- 23 Affects O'Connor Hospital Foundation
- 24 Affects Saint Louise Regional Hospital Foundation
- 25 Affects St. Francis Medical Center of Lynwood Foundation
- 26 Affects St. Vincent Foundation
- 27 Affects St. Vincent Dialysis Center, Inc.
- 28 Affects Seton Medical Center Foundation
- Affects Verity Business Services
- Affects Verity Medical Foundation
- Affects Verity Holdings, LLC
- Affects De Paul Ventures, LLC
- Affects De Paul Ventures – San Jose Dialysis, LLC

) Jointly Administered With:
) Case No.: 2:18-bk-20162-ER;
) Case No.: 2:18-bk-20163-ER;
) Case No.: 2:18-bk-20164-ER;
) Case No.: 2:18-bk-20165-ER;
) Case No.: 2:18-bk-20167-ER;
) Case No.: 2:18-bk-20168-ER;
) Case No.: 2:18-bk-20169-ER;
) Case No.: 2:18-bk-20171-ER;
) Case No.: 2:18-bk-20172-ER;
) Case No.: 2:18-bk-20173-ER;
) Case No.: 2:18-bk-20175-ER;
) Case No.: 2:18-bk-20176-ER;
) Case No.: 2:18-bk-20178-ER;
) Case No.: 2:18-bk-20179-ER;
) Case No.: 2:18-bk-20180-ER;
) Case No.: 2:18-bk-20181-ER

) Chapter 11 Cases

) **SUBMISSION OF SUPPLEMENT TO SECOND REPORT BY PATIENT CARE OMBUDSMAN, JACOB NATHAN RUBIN, MD, FACC, PURSUANT TO 11 U.S.C. § 333(b)(2)**

) [NO HEARING REQUIRED]

29 Debtors and Debtors In Possession)



1 Jacob Nathan Rubin, MD, FAAC, the Patient Care Ombudsman (“PCO”) appointed under
2 11 U.S.C. § 333 in the above-referenced chapter 11 bankruptcy cases of the affected debtors and
3 debtors in possession (collectively, “Debtors”), hereby submits his supplement to the second report
4 (“Second Report”) which was filed with the Court on February 5, 2019, as docket number 1475,
5 pursuant to 11 U.S.C. § 333(b) regarding the quality of patient care provided to patients of the
6 affected Debtors. The supplement to the Second Report is hereby attached as Exhibit A. All
7 capitalized terms used in the supplement shall have the meanings given in the Second Report unless
8 otherwise stated.

9 Submitted by:

10 LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.

11
12 By: /s/ Ron Bender

13 RON BENDER

14 MONICA Y. KIM

15 Attorneys for Patient Care Ombudsman
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1 **IN RE VERITY HEALTH SYSTEMS, INC.**
2 **SUPPLEMENT TO**
3 **SECOND REPORT OF PATIENT CARE OMBUDSMAN**
4 **PURSUANT TO 11 U.S.C. § 333**

5 As stated in the Second Report of the PCO, in Article IV, Section C, Pages 22 to 24, the
6 PCO raised certain concerns regarding the continuity of care for patients of Seton Primary Care and
7 Seton Oncology clinics arising from the Debtors' intended closure of these two clinics. Following
8 the submission of the PCO's Second Report, there have been developments which address the
9 concerns that the PCO had raised with regard to these clinics as to the continuity of care for the
10 affected patients.


11 In particular, the Debtors, through Dr. Del Junco (the Chief Medical Officer of the Debtors),
12 has informed the PCO that the Seton Oncology clinic is closing and that the patients are being
13 reassigned to local cancer centers, which according to the Debtors, have accepted these patients.
14 The PCO has been unable to speak to Dr. Moretti (who leads Seton Oncology) directly, but based
15 on communications sent to the PCO by the Debtors (which is also attached hereto), the transition of
16 patients is taking place. There should be no detriment to the care given to patients of this clinic if
17 the reassignments are followed through as represented to the PCO.

18 Further, according to Dr. Del Junco and Dr. Kealey (who leads Seton Primary Care), the
19 patients of this clinic will be taken on by the medical group of Brown and Toland. Dr. Kealey
20 reports that she has successfully negotiated a contract (but not yet signed) with Brown and Toland
21 which provides for the medical professionals of Brown and Toland to continue providing care to
22 these patients. Dr. Kealey further reports that the entire practice, along with patients and charts, will
23 remain at its current location. Barring any mishap, this should assure continuity of care and patient
24 safety at this clinic as well.

25 Additionally, the PCO has confirmed with Dr. Del Junco that the Debtor will honor all of
26 their statutory obligation to protect and store medical records of inactive patients of all of the
27
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1 Debtors' entities for the required statutory periods.

2 Dated this 11th day of February, 2019

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4 _____
5 Jacob Nathan Rubin, MD, FACC, Patient Care
6 Ombudsman

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901 Campus Drive, Suite 214
Daly City, CA 94015

February 11, 2019

Dear Linda,

As the VMF clinics come to a close, I want to offer my full support with the transitions that are actively in progress. I will continue to be supportive of Seton through the next transition of the hospital.

I am sorry about the recent disruptions. Although people have good intent, false hope is not an action, but rather, a barrier to proactive planning for patient care.

I am proud that we have kept patients at the center of our discussions, planning and transitions. It's the reason we all came together. We are fortunate that there are specialists in the community that are willing to help us, as well.

I am aware that some of our colleagues are struggling at this time. I suspect that the disruptive medical staff members have good intent.

As we transition patients out of the Cancer Clinic and the Multi-Specialty Clinic, I will help in way that would be helpful. I understand that some patients will require lab follow up. If they choose to join my practice, I will welcome them. Thank you for the support of our physicians and our staff. We continue to keep our focus on patients, service and our employees.

Please know you can count on my support. I know I can count on yours, as well.

Sincerely,

A handwritten signature in black ink that reads 'Kris Kealey'.

Kris Kealey, M.D.
Internal Medicine

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

10250 Constellation Blvd., Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing document entitled (*specify*): **SUBMISSION OF SUPPLEMENT TO SECOND REPORT BY PATIENT CARE OMBUDSMAN, JACOB NATHAN RUBIN, MD, FACC, PURSUANT TO 11 U.S.C. § 333(b)(2)** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) February 11, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On February 11, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL

(*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on February 11, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Attorney Service
The Honorable Ernest M. Robles
United States Bankruptcy Court, #1560
255 E. Temple Street
Los Angeles, CA 90012

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 11, 2019
Date

Jason Klassi
Printed Name

/s/ Jason Klassi
Signature

2:18-bk-20151-ER Notice will be electronically mailed to:

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2
3
4
5
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Keith Patrick Banner on behalf of Interested Party CO Architects
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- 28 Steven J Kahn on behalf of Plaintiff VERITY HEALTH SYSTEM OF CALIFORNIA, INC., a California

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