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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

In Re:)	BK No.:	17-12470
FRIENDSHIP VILLAGE OF)		
MILL CREEK, NFP, d/b/a)	Chapter:	11
GREENFIELDS OF GENEVA,)	Honorable LaShonda A. Hunt	
)		
FEIN: 20-3300991,)		
Debtor(s))		

Order Granting Debtor's Motion for Entry of An Order (A) Determining That Appointment of a Patient Care Ombudsman Is Not Necessary Under 11 U.S.C. § 333 and (B) Allowing the Debtor To Self Report

This matter was heard on the motion (the "Motion") filed by Friendship Village of Mill Creek, NFP, d/b/a Greenfields of Geneva, debtor and debtor in possession herein (the "Debtor") requesting an order from this Court (the "Bankruptcy Court") determining that appointment of a patient care ombudsman is not necessary under 11 U.S.C. § 333 and allowing the Debtor to self-report. ~~The Court, having found that the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of these proceedings and the Motion in this District is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that the relief requested in the Motion is in the best interests of the Debtor's estate, its creditors, and other parties in interest; and the Court having found that the Debtor provided appropriate notice of the Motion and the opportunity for a hearing on the Motion under the circumstances; and the Court having heard the statements in support of the relief requested therein at a hearing before the Court (the "Hearing"); and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,~~ LAN

IT IS ORDERED:

1. The Motion is GRANTED on an interim basis as set forth herein.
2. Capitalized terms used but not defined herein shall have the meanings given to them in the Motion.
3. The appointment of a patient care ombudsman under section 333 of the Bankruptcy Code is not necessary for the protection of patients under the specific circumstances of this chapter 11 case at this time.
4. Within thirty (30) business days after entry of this Order, and every sixty (60) days thereafter, until this chapter 11 case has been closed or the assets of the Debtor are transferred to a party that is unrelated to the Debtor, the Debtor shall provide a verified affidavit reporting the following information:

Staff Members: Report the number of GreenFields Staff Members, their positions, the status or standing of any licenses held by Staff Members, and any formal complaints made by Residents or families of Residents concerning the Care Provided by the Staff Members at GreenFields. The term

“Staff Members” includes:(a) W-2 employees or independent contractors, who are directly contracted with or by the Debtor, and (b) individuals who, at the request of the Debtor, whether or not directly contracted with, provide any form of care to the Residents at GreenFields. The term “Care Provided” includes, but is not limited to: (a) services of medical personnel, whether licensed or unlicensed, who provide care to Residents in the nursing home, enriched housing, and independent living sections of GreenFields; (b) use of physicians, medical specialists, dentists, or other medical practitioners whose practices are based, in whole or in part, within GreenFields, or who at the request of the Debtor or its employees, treat Residents on a regular and recurring basis, (c) use of rehabilitation or therapy rooms and related medical equipment by Residents, and (d) the providing of pharmaceutical services or supplies to Residents.

Staffing Changes: Report any material increase or decrease in the number of Staff Members during the reporting period, and the reasons for such changes.

Patient/Resident Records: Report the measures taken by the Debtor to continue securing Resident records at GreenFields.

Vendors: Report all formal complaints, if any, raised by the Debtor’s vendors regarding payment or ordering issues.

Formal Complaints: Report all formal complaints, if any, made by Residents, the families of Residents, or referring physicians (including formal complaints made by physicians, medical specialists, dentists, or other medical practitioners whose practices are based, in whole or in part at GreenFields or who at the Debtor’s request, treat Residents on a regular and recurring basis) regarding patient care and/or other services rendered by the Debtor.

Litigation: Report any postpetition litigation or administrative actions exempt from the automatic stay under section 362(b)(4) of the Bankruptcy Code initiated against the Debtor, and the status of any pending administrative actions.

Expansion/Closures: Report any plans to open or close any part of GreenFields.

CCRC Conditions: Report any new maintenance work that needs to be done or that has been done at GreenFields.

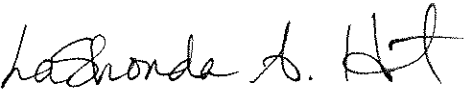
Life-Safety Issues: Affirmatively report that there are no life safety issues regarding any part of the Campus where Residents live and are treated or otherwise receive care. Life safety issues include the ability of the Debtor’s medical personnel to respond in a timely manner, using staff members on premises, to emergency situations whether by phone or emergency pull cord. In the event that there are life-safety issues, report them immediately to the Court and state what is being done to rectify them.

5. The Debtor will mail (by U.S. first class mail), e-mail, or fax a copy of the sixty-day report affidavits to: (a) the U.S. Trustee, (b) the Bond Trustee, (c) the IDPH, and (d) any Residents or family members thereof who specifically request a copy of such affidavit.

6. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

7. The Debtor is authorized and empowered to take all actions necessary or appropriate to

8. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Enter: 

Honorable LaShonda A. Hunt
United States Bankruptcy Judge

Dated: 2 APR 2017

Prepared by:

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