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Patient Care Ombudsman

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION**

In re:

**THE ROSEGARDEN HEALTH AND
REHABILITATION CENTER LLC, *et al.*,**

Debtors.¹

CHAPTER 11

Case No. 18-30623 (AMN)

(Jointly Administered)

**THIRD REPORT OF
JOSEPH J. TOMAINO
AS PATIENT CARE OMBUDSMAN**

I, Joseph J. Tomaino, the duly appointed Patient Care Ombudsman appointed by the United States Trustee pursuant to an order of the Court entered in the above-captioned bankruptcy cases, file this third report pursuant to 11 U.S.C. § 333 (b)(2). This case involves three independently licensed facilities in Bridgeport Health Care Center, Bridgeport Manor in Bridgeport, CT and Rosegarden Health and Rehab Center in Waterbury CT. On September 13, 2018, Rosegarden Health and Rehab Center discharged its last resident, and Bridgeport Manor is implementing a closure plan at this time,

Approach

Site visits at the facilities were conducted on August 9, 2018, at Rosegarden, Waterbury CT, and Bridgeport Health Care Center, and Bridgeport Manor, both in

¹ The Debtors in these cases and the last four digits of each Debtor's tax identification number are: The Rosegarden Health and Rehabilitation Center LLC (4423) and Bridgeport Health Care Center Inc. (6665).

Bridgeport CT. The contact information for the Patient Care Ombudsman remains posted in each of the facilities, and the second report of the Patient Care Ombudsman has been posted in each as well.

Findings

Bridgeport Manor

The census as of the time of the visit on August 9, 2018 was sixty-two(62), and at the end of this reporting period is approximately eight (8) residents. Management anticipates that all residents should be discharged by October 14, if not sooner.

Additional discharge planning resources have been placed at Bridgeport Manor, and this has facilitated the process. During the site visit, no nursing or resident care issues were identified. Resident interviews revealed no complaints, and the expression of appreciation for the quality of the “new food”. The ombudsman met with the State Long Term Care Ombudsman, who monitors the closure process under State regulations, on September 6, 2018, and maintained email contact throughout the reporting period, and she reported no significant issues.

The ombudsman received no complaints regarding this facility during the reporting period.

Rosegarden

The final closure of this facility progressed smoothly, and again, no significant issues were identified by the State Long Term Care Ombudsman who monitored the process. The medical records for the facility are being transferred to a custodian, however old records were being stored in a trailer on the property. This trailer became compromised and the records have been destroyed by water and rat excrement. The trustee is seeking approval for the disposal of these records.

The ombudsman received no complaints regarding this facility during the

reporting period.

Bridgeport Health Care Center

The nursing staffing in the facility remains stable, with some episodic use of agency staff, such as to fill a supervisor vacation. Televisions were installed in all community rooms. The facility has also engaged a psychology service provider for individual and group therapy.

New furniture that was in storage has been moved to the Bridgeport Health Care Center on the third floor, not to increase census, but to eliminate the use of rooms in the facility with more than two residents in occupancy.

The ombudsman received no complaints regarding this facility during the reporting period.

Monitoring Plan

The Patient Care Ombudsman will continue to monitor the final closure of Bridgeport Manor and the remaining Bridgeport Health Care Center, as well as continue to coordinate monitoring with the Department of Public Health and the Connecticut Long Term Care Ombudsman. The frequency of monitoring will be reflective of identified needs through that coordination, but will be at least once per reporting period. The Patient Care Ombudsman will also be available to receive and investigate any complaints from residents or their families. The closure notices provided to each resident at Rosegarden and Bridgeport Manor included the Patient Care Ombudsman contact information.

Consistent with requirements outlined in Federal Rule of Bankruptcy Procedure 2015.1-1, notice of this report will be served on each entity that issues licenses or regulates the debtor. A copy will be shared with the State Long Term Care Ombudsman, as well.

The Ombudsman will make his next report in sixty (60) days or sooner, if circumstances warrant.

Dated: October 8, 2018
New York, New York

**JOSEPH J. TOMAINO,
SOLELY IN HIS CAPACITY AS THE
COURT APPOINTED PATIENT CARE
OMBUDSMAN**

By: /s/ Joseph J. Tomaino
Joseph J. Tomaino

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
NEW HAVEN DIVISION

IN RE : CHAPTER 11
THE ROSEGARDEN HEALTH AND :
REHABILITATION CENTER LLC, : CASE NO 18-30623 AMN
ET AL :
: (Jointly Administered)
:
: **OCTOBER 9, 2018**

CERTIFICATION OF SERVICE

Barbara H. Katz hereby certifies that a copy of
the THIRD REPORT OF
JOSEPH J. TOMAINO
AS PATIENT CARE OMBUDSMAN

was sent on the 9th day of October, 2018 electronically to all parties receiving
ECF notice.

/s/ Barbara H. Katz

Barbara H. Katz