

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re:	§	
BENEVOLENT HOSPICE, LLC	§	Case No. 16-52996 – CAG
	§	
Debtor	§	Chapter 11 Case
	§	
	§	
	§	

PATIENT CARE OMBUDSMAN’S REPORT TO THE COURT

**TO THE HONORABLE CRAIG A. GARGOTTA
UNITED STATES BANKRUPTCY JUDGE:**

Carol E. Jendrzej, the duly appointed Patient Care Ombudsman (the “Ombudsman”) files this, her First Report to the Court (the “Report”) and would respectfully show:

I. PROCEDURAL BACKGROUND

1. On December 30, 2016 (the “Petition Date”), the Debtor Benevolent Hospice LLC (the “Debtor”) filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code.
2. The Debtor is operating its business as debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.
3. The Debtor is a health care business. Thus, the Bankruptcy Court, pursuant to section 333 of the Bankruptcy Code ordered the appointment of a Patient Care Ombudsman. On February 2, 2017, Carol E. Jendrzej was appointed Patient Care Ombudsman (the “Ombudsman”).

II. BACKGROUND OF DEBTOR

4. Since the time of the Ombudsman's appointment, the Ombudsman has been in contact with James Thomas, the Executive Director of the Debtor, Xiomar Thomas, the Chief Operating Officer of the Debtor and Taurus Felix, RN, the Director of Nursing.

5. The Debtor operates a hospice program that offers palliative and supportive services to patients with advanced disease and/or in a terminal state. The Debtor has been operating since 2009.

6. The Debtor was accredited by The Joint Commission ("TJC") in 2009. TJC had just completed an accreditation visit at the Debtor's location just prior to the Ombudsman's February 24, 2016 visit. The Debtor's COO indicated that TJC had not identified any issues on the visit. She also informed the Ombudsman that the State had performed an inspection in November 2016.

III. FACILITY AND MEDICAL RECORDS

7. The COO provided a tour of the office. There are no patients on the premises. The patients are cared for in their homes. The medical records are kept in a secured area and healthcare staff is required to check them out as needed. The records are retained for seven (7) years, are all hardcopy and are all secured on-site.

8. The office has a separate area for the healthcare staff to complete records.

9. There are no medications, supplies or equipment kept at the office. All medications, supplies and equipment are sent directly to the patient's home.

IV. STAFFING

10. The healthcare staffing at the time of the Ombudsman visit consisted of the following:

Staff Description	Number
Nursing	1 DON (RN), 3 RN's, 1 LVN, 3 CNA
Social Worker	1 (Coordinates Community Resources)
Chaplain	1 (Part-time)
Medical Director	1 Medical Doctor
Medical Records	1 Clerk
Bereavement Counselor	1 Counselor (Part-time)

On March 31, 2016, the DON reported that the nursing staff has a caseload of twelve to fifteen patients. As noted above, the Debtor does utilize certified nurse assistants (“CNA”), however, they provide care under the supervision of a registered nurse. According to the COO, the registered nurses admit the patient to the service and see the patient a minimum of every 14 days. According to COO, there is a medication profile reconciliation done on each patient visit. There is an on-call nurse available twenty-four hours a day. The Debtor does not use voicemail.

The COO stated that the Debtor is not aware of any incidents with patients.

11. Both the COO and the DON reported that there have been no issues with supplies or nursing coverage. The DON reports that the staff works up to 40 hours per week.

V. FOLLOW-UP

12. The Ombudsman will make a second visit to the Debtor’s office to review medical records in the next thirty (30) days. The Ombudsman appreciates the cooperation

extended to her by the Debtor's administrators and staff. The Ombudsman's impression of the administrators after this visit is that they not only care about the physical/medical needs of the patients, but also the family's need to continue to include their family member in milestone events that might otherwise have been missed.

Dated: April 3, 2017

Respectfully submitted,

THE PATIENT CARE OMBUDSMAN

/s/ Carol E. Jendrzey

Carol E. Jendrzey
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San Antonio, Texas 78258

PATIENT CARE OMBUDSMAN

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3 day of April, 2017, a true and correct copy of the foregoing document was filed with the Court and served electronically upon those parties registered to receive electronic notice via the Court's CM/ECF system

/s/ Carol E. Jendzey