

Susan N. Goodman, RN JD
 Pivot Health Law, LLC
 P.O. Box 69734
 Oro Valley, AZ 85737
 Ph: (520) 744-7061
[Email: sgoodman@pivethealthaz.com](mailto:sgoodman@pivethealthaz.com)
Patient Care Ombudsman

Honorable Whitman L. Holt

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF WASHINGTON**

In re:

Chapter 11

ASTRIA HEALTH, et.al. ¹

Lead Case No. 19-01189 WLH

Jointly Administered

Debtors in Possession,

[No Hearing Required Pursuant to
 L.B.R. 2002-1(c)(1)]

**SECOND INTERIM FEE APPLICATION OF SUSAN N. GOODMAN AS PATIENT
 CARE OMBUDSMAN FOR THE PERIOD FROM NOVEMBER 1, 2019 THROUGH AND
 INCLUDING DECEMBER 31, 2019**

Susan N. Goodman, as the duly appointed Patient Care Ombudsman (“PCO” or “Applicant”) submits this Second Interim Fee Application (the “Application”) for Allowance and Payment of Interim Compensation and Reimbursement of Expenses for the Period 11/1/2019 – 12/31/2019 (the “Application Period”) for work performed as the PCO. The Applicant submits the PCO’s *Statement of Certifying Professional*, which is attached hereto as **Exhibit A** and incorporated by reference. In further support of the Application, the PCO represents as follows:

¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189), Glacier Canyon, LLC (19-01193), Kitchen and Bath Furnishings, LLC (19-01149), Oxbow Summit, LLC (19-01195), SHC Holdco, LLC (19-01196), SHC Medical Center-Toppenish (19-01190), SHC Medical Center-Yakima (19-01192), Sunnyside Community Hospital Association (19-01191), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197), Sunnyside Home Health (19-001198), Sunnyside Professional Services, LLC (19-01199), Yakima Home Care Holdings, LLC (19-01201), and Yakima HMA Home Health, LLC (19-01200).



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JURISDICTION AND VENUE

1. This Court has jurisdiction of this Chapter 11 proceeding pursuant to 28 U.S.C. §§ 157 and 1334. This matter constitutes a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

3. The statutory predicates for the relief requested in this Application are Local Rule of Bankruptcy Procedure 2016, Federal Rules of Bankruptcy Procedure Rule 2016 and 2002(a)(6), and Bankruptcy Code §§ 105, 330, 331 and 333.

BACKGROUND

4. On May 6, 2019 (the “**Petition Date**”), the Debtors filed their voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

5. Since the Petition Date, Debtors have continued to operate as a health care business and remained as debtors in possession in accordance with Bankruptcy Code §§ 1107 and 1108.

6. On June 10, 2019, the Court entered its *Order Directing United States Trustee to Appoint Patient Care Ombudsman* [Docket No. 239].

7. On June 13, 2019, the Court entered its *Amended Order Directing United States Trustee to Appoint Patient Care Ombudsman* [Docket No. 241].

8. On June 17, 2019, the United States Trustee filed its *Application for Approval of Appointment of Patient Care Ombudsman* [Docket No. 280] (“**Appointment Notice**”) whereby it named the Applicant as its choice for the PCO role and asked for additional approval to facilitate record access to serve in the PCO role. Contemporaneously, PCO’s *Verified Statement of Susan N. Goodman* [Docket No. 279] was submitted in support of the appointment, and, along with the Appointment Notice is attached herein as **Exhibit B**.

9. On August 6, 2019, the Court entered its *Order on Debtors’ Motion Establishing Procedures for Monthly and Interim Payment of Fees and Expense Reimbursement* [Docket No. 453] (the “**Interim Payment Order**”) directing professionals to submit Interim Fee Applications approximately every 120 days to

1 seek approval for up to 100% of requested interim compensation and expense reimbursement,
2 including the 20% of fees held back during the Monthly Fee Application process.

3 10. On November 25, 2019, PCO submitted a First Interim Fee Application for the period
4 June 17, 2019 through October 31, 2019 [Docket No. 781]. The Order approving PCO's First
5 Application was filed December 20, 2019 at Docket No. 840. Of the \$111,737.02 of approved fees and
6 expenses from the First Interim Fee Application, PCO has received \$91,171.88 in payments through
7 interim monthly fee applications and is awaiting payment of the remaining \$20,565.14 in unpaid fees
8 and expenses.

9 11. Subsequently, the Court clarified to PCO the standardized dates for interim application
10 submittal. Accordingly, PCO seeks approval for remainder of fees and expenses incurred during the
11 second Application Period consistent with the timing set forth in the Interim Payment Order.

12 12. On December 14, 2019, PCO submitted *Monthly Fee Application of Susan N. Goodman,*
13 *Ombudsman, for Allowance and Payment of Interim Compensation and Reimbursement of Expenses for the Period*
14 *November 1 – 30, 2019* [Docket No. 821]. PCO filed a Declaration of No Objections on this monthly
15 application on December 31, 2019 at Docket No. 851. PCO has not been paid for November 2019
16 fees and expenses.

17 13. On January 22, 2020, PCO submitted *Monthly Fee Application of Susan N. Goodman,*
18 *Ombudsman, for Allowance and Payment of Interim Compensation and Reimbursement of Expenses for the Period*
19 *December 1 – 31, 2019* [Docket No. 926]. The objection period is pending on this monthly application.

20 14. Pursuant to §§ 330, 331 of the United States Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.*
21 (the “**Bankruptcy Code**”), Rule 2016 of the Federal Rules of Bankruptcy Procedure (the “**Bankruptcy**
22 **Rules**”) and E.D. WA L.B.R. 2016-1(c), the PCO requests allowance and approval for professional fees
23 and expenses related to service as the PCO. For the Application Period, PCO accrued professional
24 fees for services rendered on behalf of the patients cared for by the Debtors in the amount of
25 \$57,187.50 and incurred out-of-pocket expenses in the amount of \$5,378.82, collectively totaling
26 \$62,566.32. A breakdown of PCO expenses by category was:

Expense Category	Total Amount
Airfare	\$2,008.66
Car Rental	\$894.05
Hotel	\$1,898.82
Meals	\$298.59
Parking Fees/Tolls	\$246.00
Postage	\$32.70
Total	\$5,378.82

15. For the post-petition period, PCO has billed as follows:

Period	Fees	Expenses	Total
June to July 2019	\$34,012.50	\$3,920.14	\$37,932.64
August 2019	\$16,200.00	\$0.00	\$16,200.00
September 2019	\$35,175.00	\$4,004.62	\$39,179.62
October 2019	\$17,437.50	\$987.26	\$18,424.76
November 2019	\$35,662.50	\$2,302.36	\$37,964.86
December 2019	\$21,525.00	\$3,076.46	\$24,601.46

16. For the post-petition period, PCO has been paid to date as follows:

Application Period	Amount	Description
June to July 2019	\$31,130.00	80% fees, 99.9% expenses
August 2019	\$12,960.00	80% fees (no expenses)
September 2019	\$32,144.62	80% fees, 100% expenses
October 2019	\$14,937.26	80% fees, 100% expenses
November 2019	\$0.00	5 th Monthly Fee App
December 2019	\$0.00	6 th Monthly Fee App

17. To date, the PCO is owed as follows:

Application Period	Amount	Description
June to July 2019	\$6,802.64	20% fees, \$0.14 expenses
August 2019	\$3,240	20% fees
September 2019	\$7,035.00	20% fees
October 2019	\$3,487.50	20% fees
November 2019	\$37,964.86	100% fees/100% expenses
December 2019	\$24,601.46 (pending)	100% fees/100% expenses

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SUMMARY OF SERVICES PROVIDED

18. PCO visited Debtors' locations three times over the course of this Application Period where she interviewed clinicians and patients, observed care, interacted with staff, and review quality and process documentation, among other activities.

19. Further, PCO attended the November and December (telephonically) status hearings and authored *Patient Care Ombudsman's First Consolidated Supplemental Report* [November 11, 2019 at Docket No. 750] and *Patient Care Ombudsman's Third Interim Report (Consolidated)* [December 31, 2019 at Docket No. 855].

20. PCO monitored docket pleadings and calendared hearings consistent with the level of engagement appropriate to the PCO role to monitor for items having potential impact on patient care and staff dynamics.

21. In the interim periods between site visits, PCO regularly engaged with staff and clinicians, both proactively and responsive to those reaching out to PCO.

22. PCO attaches monthly summaries of PCO's hours and expenses as **Exhibit C** and detailed fee statements/invoices as **Exhibit D**.

23. PCO attaches LF 2016, Local Form 2016A, Local Form 2916B, Local Form 2016C collectively as **Exhibit E**.

24. PCO attaches LF 2016D, the proposed *Order Awarding Compensation for Services Rendered and Reimbursement for Expenses Pursuant to 11 U.S.C. §330 and §331, and Approving the Payment of Bank Fees* (the "**Order**") as **Exhibit F**.

EVALUATION STANDARDS

25. United States Bankruptcy Code § 330(a)(3)-(4)(A) provides an analytical framework to evaluate the reasonableness of professional fees and expenses. The court considers the nature, extent, and value of the services rendered relative to: (1) the time spent, (2) the rates charged, (3) whether the services were necessary or provided a benefit to the estate, (4) the time spent relative to the complexity and nature of the task addressed, (5) whether the professional demonstrated skill and expertise, (6)

1 whether the professional fee is comparatively reasonable, and (7) whether the fee avoids unnecessary
2 duplication and/or waste. If the professional fee requested fails this analysis, the court may reduce the
3 amount of compensation awarded.

4 26. Bankruptcy Courts have employed the lodestar approach as the primary basis for
5 determining the reasonableness of compensation under Bankruptcy Code § 330. Generally, this
6 approach begins with calculating the total number of hours expended by the professional multiplied by
7 the prevailing rate for similar work. *See* Unsecured Creditors' Comm. v. Puget Sound Plywood, 924 F.
8 2d 955 (9th Cir. 1991).

9 27. PCO's activities all classify as general case administration. PCO spent 154.8 hours
10 engaged in activities associated with her role, including but not limited to site visits, interviews with
11 patients and clinicians, director leadership and Chief Restructuring Officer ("CRO") follow-up,
12 document review, remote monitoring, report and document preparation, court hearing attendance, and
13 regular updates to the United States Trustee. PCO provided a vital and necessary service to patients
14 cared for by Debtors. Accordingly, PCO requests that this Court enter a final order allowing full
15 payment of PCO's fees and expenses in the total amount requested: **\$62,566.32**.

16 28. PCO's hourly rate of \$375.00 per hour compares favorably to hourly rates charged by
17 other professionals in this field and is consistent with rates charged in PCO's health law practice. PCO
18 has a clinical, health care operations, and health law compliance background that allowed for thorough
19 PCO coverage without engagement of other professionals, at a cost savings to Debtors' estate.

20 29. Applicant has not shared or agreed to share compensation or reimbursement awarded
21 in this case with any other person or entity. No agreement or understanding exists between Applicant
22 and any other person for a division of compensation. Applicant has not entered into any agreement
23 prohibited by U.S.C. Title 18 §155.

24 **RELIEF REQUESTED**

25 WHEREFORE, PCO respectfully requests that this Court enter an order substantially in the
26 form attached herein as Exhibit F:

1 a. approving, on an interim final basis, the allowance of \$57,187.50 as reasonable
2 compensation for actual and necessary professional services rendered by the PCO for the
3 benefit of the Estate during the Application Period;

4 b. approving, on an interim final basis, the reimbursement of actual and necessary
5 out-of-pocket expenses in the amount of \$5,378.82 incurred by PCO in the performance of
6 required professional services during the Application Period;

7 c. authorizing and directing the Debtor to pay to the PCO the approved fees and
8 expenses in the aggregate award amount of \$62,566.32, less those monies received before the
9 entry of the Application Order; and,

10 d. granting such other and further relief as the Court deems just and proper.

11
12 DATED: January 26, 2020

By: /s/ Susan N. Goodman, AZ Bar # 019483

Pivot Health Law, LLC

P.O. Box 69734

Oro Valley, AZ 85737

Ph: (520) 744-7061

sgoodman@pivthealthaz.com

Patient Care Ombudsman

1 EXHIBIT A

2 STATEMENT OF CERTIFYING PROFESSIONAL

3 The undersigned hereby certifies that I have prepared and read the foregoing *Second Interim Fee*
4 *Application of Susan N. Goodman as Patient Care Ombudsman for the Period from November 1, 2019 through and*
5 *including December 31, 2019*, and to the best of my knowledge, information and belief, formed after
6 reasonable inquiry, the compensation and expense reimbursement requested (a) are in conformity with
7 Local Bankruptcy Rule 2016-1; (b) are detailed accurately in this Application.

8 Further, to the extent the Department of Justice *Appendix B Guidelines for Reviewing Applications for*
9 *Compensation and Reimbursement of Expenses Filed Under United States Code by Attorneys in Larger Chapter 11*
10 *Cases* may apply to the PCO role, PCO answers as follows:

- 11 a) **Question:** Did you agree to any variations from, or alternatives to, your standard
12 customary billing rates, fees, or terms of services pertaining to this engagement that
13 were provided during the application period? **Response.** No.
14 b) **Question:** If the fees sought in this application as compared to the fees budgeted for
15 the time period covered by this fee application are higher by 10% or more, did you
16 discuss the reasons for the variation with the client? **Response.** N/A
17 c) **Question:** Have any of the professionals included in this fee application varied their
18 hourly rate based on the geographic location of the bankruptcy case? **Response.** No.
19 d) **Question:** Does the fee application include time or fees related to reviewing or revising
20 invoices? (This is limited to work involved in preparing and editing billing records that
21 would not be compensable outside of bankruptcy and does not include reasonable fees
22 for preparing a fee application.) **Response.** No.
23 e) **Question:** Does the fee application include time or fees for reviewing time records to
24 redact any privileged or other confidential information? **Response.** No.
25 f) **Question:** Does the fee application include any rate increases since appointment?
26 **Response.** No.

PCO certifies under penalty of perjury under the laws of the United States that, to the best of
my knowledge and after reasonable inquiry, the foregoing is true and correct.

DATED: January 26, 2020

By: /s/Susan N. Goodman, RN JD (AZ Bar 091483)
Susan N. Goodman
Patient Care Ombudsman

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EXHIBIT B
PCO Verified Statement and Appointment Notice

1 GARY W. DYER, CSBA #106701
Assistant United States Trustee
2 United States Dept. of Justice
920 West Riverside, Room 593
3 Spokane, WA 99201
Telephone (509) 353-2999
4 Fax (509) 353-3124

HON. FRANK L. KURTZ

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7 **UNITED STATES BANKRUPTCY COURT**
EASTERN DISTRICT OF WASHINGTON
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9 In re:

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11 ASTRIA HEALTH, et.al. ¹

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14 Debtors in Possession,
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Case No. 19-01189 FLK

Chapter 11

Jointly Administered

17 APPLICATION FOR APPROVAL OF
18 APPOINTMENT OF PATIENT CARE
19 OMBUDSMAN
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22 By this application, the Court is requested to approve Susan Goodman as the
23 Patient Care Ombudsman (PCO) in this case.
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25 1. The case was filed on May 6, 2019 and was designated as a health care

1 The Debtors, along with their case numbers, are as follows: Astria Health (19-01189), Glacier Canyon, LLC (19-01193), Kitchen and Bath Furnishings, LLC (19-01149), Oxbow Summit, LLC (19-01195), SHC Holdco, LLC (19-01196), SHC Medical Center-Toppenish (19-01190), SHC Medical Center-Yakima (19-01192), Sunnyside Community Hospital Association (19-01191), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197), Sunnyside Home Health (19-001198), Sunnyside Professional Services, LLC (19-01199), Yakima Home Care Holdings, LLC (19-01201), and Yakima HMA Home Health, LLC (19-01200).

APPLICATION FOR APPROVAL OF
UNITED STATES TRUSTEE'S APPOINTMENT
OF PATIENT CARE OMBUDSMAN

Page 1

1 case.

2 2. On June 11, 2019, pursuant to section 333 of Title 11, the court directed
3 the United States Trustee to appoint a Patient Care Ombudsman for this case. That
4 order reserved the right to supplement its provisions.
5

6 3. The United States Trustee has selected and appointed Susan Goodman of
7 of Mesch, Clark & Rothschild, 259 North Meyer Avenue, Tucson, AZ 85701 tel:
8 (520) 624-8886 (Ext. 141) to serve as the Patient Care Ombudsman (PCO). Ms.
9 Goodman's resume is attached and her verified statement is filed concurrently with
10 this application. Based upon her prior experience and our interview of her, the
11 United States Trustee believes she is well-suited to serve in this case.
12

13 4. As part of this approval, the United States Trustee requests the court to
14 authorize the PCO's access to patient care records in order to perform her duties.
15

16 5. The language of the order in its second paragraph provides for the
17 appropriate access to patients' medical records and the corresponding duty to
18 maintain the patients' confidentiality under current law.
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22 Wherefore, the court is respectfully requested to approve the appointment of
23 Susan Goodman as the Patient Care Ombudsman, and approve the language
24

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APPLICATION FOR APPROVAL OF
UNITED STATES TRUSTEE'S APPOINTMENT
OF PATIENT CARE OMBUDSMAN

Page 2

1 providing access to the patients' records.

2 Dated: June 17, 2019

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4 Respectfully submitted,

5 GREGORY M. GARVIN
6 Acting United States Trustee

7 /s/ Gary W. Dyer

8 Gary W. Dyer
9 Assistant US Trustee

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7 **UNITED STATES BANKRUPTCY COURT**
8 **EASTERN DISTRICT OF WASHINGTON**

9 In re:

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11 ASTRIA HEALTH, et.al. ¹

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15 Debtors in Possession,

Case No. 19-01189 FLK

Chapter 11

Jointly Administered

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**ORDER APPROVING
APPOINTMENT OF SUSAN
GOODMAN AS PATIENT CARE
OMBUDSMAN**

Based upon the Application for Approval of the Appointment of Susan
Goodman as the Patient Care Ombudsman in this case, the Court's Amended Order
of June 11, 2019 directing the appointment of a Patient Care Ombudsman (PCO),
the verified statement of Ms. Goodman, and good cause appearing,

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¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189), Glacier Canyon, LLC (19-01193), Kitchen and Bath Furnishings, LLC (19-01149), Oxbow Summit, LLC (19-01195), SHC Holdco, LLC (19-01196), SHC Medical Center-Toppenish (19-01190), SHC Medical Center-Yakima (19-01192), Sunnyside Community Hospital Association (19-01191), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197), Sunnyside Home Health (19-001198), Sunnyside Professional Services, LLC (19-01199), Yakima Home Care Holdings, LLC (19-01201), and Yakima HMA Home Health, LLC (19-01200).

1 IT IS HEREBY ORDERED that the Court approves the appointment of
2 Susan Goodman, of Mesch, Clark & Rothschild, 259 North Meyer Avenue,
3 Tucson, AZ 85701 tel: (520) 624-8886 (Ext. 141) as the Patient Care
4 Ombudsman (PCO) in this case, and,
5

6 IT IS HEREBY ORDERED that Ms. Goodman as the PCO shall have access
7 to and may review confidential patient records as necessary and appropriate to
8 discharge her duties and responsibilities under this Order and appointment without
9 having to give a special notice to patients, provided however, that she must protect
10 the confidentiality of such records as required under non-bankruptcy law and
11 regulations, including but not limited to the Health Insurance Portability and
12 Accountability Act of 1996 (Pub. L. 104-191), and any amendments or
13 implementing regulations (“HIPAA”), and the Health Information Technology for
14 Economic and Clinical Health Act, which was enacted as title XIII of division A
15 and title IV of division B of the American Recovery and Reinvestment Act of 2009
16 (Pub. L. 111-5), and any amendments or implementing regulations (“HITECH”),
17 including the Final Omnibus Privacy Regulations in 45 CFR Parts 160 and 164;
18 and,
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24 IT IS HEREBY ORDERED that on motion of the U.S. Trustee, a party in
25 interest or *sua sponte* by the Court, the PCO's appointment may be terminated if

1 the Court finds that the appointment is not necessary for the protection of patients.

2 \\\ End of Order\\\

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5 Presented by:

6 GREGORY M. GARVIN
7 Acting United States Trustee

8 /s/Gary W. Dyer
9 Gary W. Dyer
10 Assistant U.S. Trustee
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MESCH CLARK ROTHSCHILD
259 North Meyer Avenue
Tucson, Arizona 85701
Phone: (520) 624-8886
Fax: (520) 798-1037
Email: sgoodman@mcrazlaw.com
Proposed Patient Care Ombudsman

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

ASTRIA HEALTH, et.al. ¹

Debtors in Possession,

Chapter 11

Case No. 19-01189 FLK

Jointly Administered

**VERIFIED STATEMENT OF
SUSAN N. GOODMAN**

STATE OF ARIZONA)
) ss.
COUNTY OF PIMA)

I, Susan N. Goodman, under penalty of perjury, declare as follows:

1. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would competently testify thereto under oath in accordance with this Verified Statement.

¹ The Debtors, along with their case numbers, are as follows: Astria Health (19-01189), Glacier Canyon, LLC (19-01193), Kitchen and Bath Furnishings, LLC (19-01149), Oxbow Summit, LLC (19-01195), SHC Holdco, LLC (19-01196), SHC Medical Center-Toppenish (19-01190), SHC Medical Center-Yakima (19-01192), Sunnyside Community Hospital Association (19-01191), Sunnyside Community Hospital Home Medical Supply, LLC (19-01197), Sunnyside Home Health (19-001198), Sunnyside Professional Services, LLC (19-01199), Yakima Home Care Holdings, LLC (19-01201), and Yakima HMA Home Health, LLC (19-01200).

2. I am a duly licensed attorney and RN in the State of Arizona. My office is located at Mesch Clark Rothschild P.C., 259 N. Meyer Ave., Tucson, AZ, 85701. My telephone number is (800) 467-8886 x 141; fax number (520) 798-1037. My law practice focuses on health care compliance provider support.
3. I am a person eligible and competent to perform the duties as patient care ombudsman ("PCO") in the above-captioned case pursuant to 11 U.S.C. § 333. My qualifications to perform the required functions of a PCO in this case are evidenced by my Curriculum Vitae, attached hereto as Exhibit A.
4. My billing rate is \$375.00 per hour and paraprofessional rates are \$145.00 – \$195.00 per hour. I will apply for payment of compensation and reimbursement of expenses from this Court pursuant to applicable provisions of the United States Bankruptcy Code, including but not limited to 11 U.S.C. § 330, the Bankruptcy Rules, the Local Rules, and pursuant to any orders of this Court establishing interim compensation and reimbursement of expenses for Chapter 11 professionals.
5. To the best of my knowledge, I am a disinterested person as defined in 11 U.S.C. § 101(14), and I do not hold, nor do I represent any material interest adverse to this bankruptcy estate.
6. I have no connection, nor any individual members of my firm, with the debtors, their creditors, the Chapter 11 Trustee, other parties in interest, their respective attorneys and accountants, the United States Trustee, or any person employed in the Office of the United States Trustee, except in the above-referenced Chapter 11 proceeding and as follows:
 - a. In the District of Arizona, I served as the PCO for a specialty surgical hospital under case no. 13-20029, with those duties now completed.

- 1 b. In the Northern District of Texas, I served as the PCO for five long-term care
2 facilities at a CCRC under consolidated case no. 14-32821, with those duties
3 now completed.
- 4 c. In the Northern District of Georgia, Rome Division, I served as the acute-care
5 PCO in consolidated case no. 14-42863, with those duties now completed.
- 6 d. In the Southern District of Texas, Houston Division, I served as the PCO for a
7 hospital and outpatient department facilities under consolidated case no. 15-
8 31086, with those duties now completed.
- 9 e. In the District of New Mexico, I served as the PCO for outpatient primary and
10 urgent care clinics throughout New Mexico under consolidated case no. 15-
11 11247, with those duties now completed.
- 12 f. In the District of New Jersey, I served as the acute care PCO for one hospital
13 under consolidated case no. 15-24999, with those duties now completed.
- 14 g. In the Eastern District of Texas, Sherman Division, I served as the PCO for a
15 hospital in case no. 15-41684, with those duties now completed.
- 16 h. In the Southern District of Texas, Houston Division, I served as the PCO for
17 a hospital in case no. 15-35370 until the case was converted to one under
18 Chapter 7.
- 19 i. In the Southern District of Texas, Galveston Division, I served as the PCO
20 for three senior living facilities under consolidated case no. 15-80399, with
21 those duties now completed.
- 22 j. In the Northern District of Texas, Dallas Division, I served as the PCO for a
23 hospital in case no. 16-40198, with those duties now completed.
- 24 k. In the Northern District of Texas, Dallas Division, I served as the PCO for a
25 hospital in case no. 16-40273, with those duties now completed.
26

- 1 1. In the Western District of Texas, El Paso Division, I served as the PCO for
2 an outpatient radiation oncology clinic, initially in a Chapter 11 proceeding
3 in case no. 16-30078, until case dismissal; and, later during the Chapter 7
4 proceeding in a limited capacity while patient treatment completion was
5 accomplished in case no. 16-31056, with those duties now completed.
- 6 m. In the Southern District of Iowa, Des Moines Division, I served as the PCO
7 for a hospital and its related outpatient facilities and clinics in case no. 16-
8 02438, with those duties now completed.
- 9 n. In the Eastern District of Louisiana, New Orleans, I served as the PCO for a
10 hospital and its related outpatient facilities and clinics in consolidated case
11 no. 17-10353, with those duties now completed.
- 12 o. In the Eastern District of Texas, Sherman Division, I served as the PCO for a
13 hospital district in Chapter 9 case no. 17-40101, with those duties now
14 completed.
- 15 p. In the Southern District of Texas, Houston Division, I served as the PCO for
16 a hospital in case no. 17-31078, with those duties now completed.
- 17 q. In the District of Arizona, I served as the PCO for a hospital case in case no.
18 17-03351, with those duties now completed.
- 19 r. In the Central District of California, Santa Ana Division, I served as the
20 PCO for residential substance use disorder treatment facilities in case no. 17-
21 12213, with those duties now completed.
- 22 s. In the Western District of Louisiana, I served as the PCO for long-term
23 acute-care hospitals ("LTACs") across seven different states under
24 consolidated case no. 17-50799, with those duties now completed.
- 25 t. In the Eastern District of Washington, I served as the PCO for a hospital
26 district in Chapter 9 case no. 17-02025 that included two hospitals, an urgent

1 care clinic, and various outpatient facilities, with those duties now
2 completed.

- 3 u. In the Western District of Texas, San Antonio Division, I am currently
4 serving as the PCO for the skilled and long-term care residents of a CCRC
5 under case number 18-50608.
- 6 v. In the District of Arizona, I served as the PCO for a small inpatient
7 substance use detox facility under case number 17-11494, with those duties
8 now completed.
- 9 w. In the Southern District of Texas, Houston Division, I served as the PCO for
10 free-standing emergency centers under consolidated case number 18-33836,
11 with those duties now completed.
- 12 x. In the Western District of Texas, Waco Division, I served as the PCO for a
13 healthcare system that included rural and critical access hospitals, rural
14 health clinics, hospital outpatient departments, and medical clinics under
15 consolidated case number 18-60526 with those duties completed upon
16 conversion of the case to a Chapter 7 proceeding.
- 17 y. In the Western District of Texas, Austin Division, I am currently serving as
18 the PCO for a Debtor providing mobile x-ray and, initially, lab services
19 under consolidated case number 18-11569.
- 20 z. In the Northern District of Texas, Dallas Division, I am currently serving as
21 the PCO for a CCRC facility located in Carmel, Indiana under case number
22 19-30283.
- 23 aa. In the Northern District of Texas, Dallas Division, I am currently serving as
24 the PCO for four, memory-care assisted living facilities in the Houston
25 metropolitan area under consolidated case number 19-31484.
26

7. Because of my appointment in these cases, I have worked with attorneys in the Office of the United States Trustee, the Office of the Attorney General, and its client representatives but have no other connections to report.
8. I have not received any compensation from any party with respect to my appointment in this case.
9. I have not made any agreements or arrangements with the Debtor or any other party to share compensation.
10. The source of compensation will be from the Debtor's operation of its business.
11. No agreement prohibited by U.S.C. Title 18 §155 has been made.
12. I declare under penalty of perjury that the foregoing is true and correct.

Susan N. Goodman
Arizona State Bar No. 019483
259 North Meyer Avenue
Tucson, Arizona 85701
Phone: (800) 467-8886 x 141
Fax: (520) 798-1037
sgoodman@mcrazlaw.com
Proposed Patient Care Ombudsman


Notary Public

OFFICIAL SEAL
LEIGHANN VOLKER
NOTARY PUBLIC-ARIZONA
PIMA COUNTY
My Comm. Exp. Nov. 30, 2020

EXHIBIT A
SUSAN NIELSEN GOODMAN



PROFESSIONAL SUMMARY

Healthcare attorney dedicated to patient-centered, collaborative, operational compliance.

SKILLS

- Regulatory Compliance ▪ Auditing ▪ Contracts ▪ Staff Education ▪ Process Improvement
- Process and Forms Development ▪ Bankruptcy Patient Care Ombudsman ▪ Medical Staff/Governance

WORK HISTORY

Mesch Clark Rothschild – Tucson, AZ

July 2013 – Present

ATTORNEY

- Established firm's regulatory compliance healthcare practice; including but not limited to, HIPAA/HITECH, Stark, AKS/FCA, PPACA, practice management, medical staff, contracts, and patient care/privacy ombudsman in bankruptcy reorganization.
- Ombudsman appointments include:
 - Surgical Specialty Hospital of Arizona; D AZ (Phoenix); 13-20029
 - Sears Methodist Retirement System; ND TX (Dallas); 14-32821
 - Hutcheson Medical Center; ND GA (Rome); 14-42863
 - University General Health System; SD TX (Houston); 15-31086
 - Santa Fe Medical Group; D NM; 15-11247
 - Saint Michael's Medical Center; D NJ; 15-24999
 - Forest Park Medical Center, Frisco; ED TX (Tyler); 15-41684
 - Spring Central Hospital; SD TX (Houston); 15-35370
 - UGHS Sr. Living; SD TX (Galveston); 15-80399
 - Border Medical Specialists Chapter 11; WD TX (El Paso); 16-30078
 - Forest Park Medical Center, Ft. Worth; ND TX (Ft. Worth); 16-40198
 - Forest Park Medical Center, Southlake; ND TX (Ft. Worth); 16-40273
 - Border Medical Specialists Chapter 7; WD TX (El Paso); 16-31056
 - Central Iowa Healthcare; SD IA (Des Moines); 16-02438
 - Louisiana Medical Center Heart Hospital; ED LA (New Orleans); 17-10353
 - North Texas Medical Center/ Gainesville Hospital District Chapter 9; ED TX (Sherman); 17-40101
 - Humble Surgical Hospital; SD TX (Houston); 17-31078
 - Green Valley Hospital; D AZ (Tucson); 17-03351
 - Solid Landings Behavioral Health, Inc; CD CA (Santa Ana); 17-12213
 - Acadiana Management Group, LLC, *et al.*; WD LA (Lafayette); 17-50799
 - Kennewick Public Hospital District Chapter 9; WD WA (Spokane); 17-02025
 - Eden Home, Inc.; WD TX (San Antonio); 18-50608
 - Scottsdale Detox Center of Arizona, LLC; D AZ (Phoenix); 17-11494
 - Neighbors Legacy Holdings, Inc.; SD TX (Houston); 18-33836
 - Little River Healthcare Holdings LLC, *et al.*; WD TX (Waco); 18-60526
 - Corridor Medical Services, Inc.; WD TX (Austin); 18-11569
 - Mayflower Communities, Inc.; ND TX (Dallas); 19-30283
 - The LaSalle Group, Inc.; ND TX (Dallas); 19-31484
 - CAH Acquisition Company #5, LLC; D KS (Wichita); 19-10359

Ascension Health/Carondelet St. Mary's Hospital – Tucson, AZ

January 2008 - June 2013

CRITICAL PRODUCTS MANAGER, THE RESOURCE GROUP

- Provided liaison support between consultant groups, service line leadership, physicians, and supply chain staff as part of readiness effort to move to PeopleSoft based national ordering system.
- Led national contract effort for supplies deemed critical by local clinician partners.

SENIOR ANALYST, RESOURCE & SUPPLY MANAGEMENT GROUP

- Supported Chief Resource Officer in policy development, presentation preparation, and business strategy development (spine cost-per-case, heart valves, quarterly updates).
- Developed a price over-ride process that maximized contract price compliance.
- Analyzed complex new device requests including presentations to senior leadership & clinician customers to gain buy-off on recommended direction (Aquamantys, Concentric Merci).
- Collaborated with service line leadership and consulting teams in data refinement and proofing for projects related to strategic business analysis.
- Collaborated with IT/IS to improve MediTech MM utilization, including three custom RSMG reports, scripting of item master additions/changes.

REVENUE LIAISON AUDITOR

- Provided critical liaison support between PFS, nurse auditing, contract management, and the service line with an emphasis on process/revenue improvement for the cardiac, neurological, and hospice service lines.
- Analyzed new procedure requests with recommendations to senior leadership.
- Continued with emergency center billing training and auditing support.
- Collaborated with supply chain on cost-per-case analysis and procedural profitability.

CLINICAL DOCUMENTATION SPECIALIST

- Re-designed emergency center documentation using a bedside approach to ensure compliance, simplification, and communication of care across the care continuum.
- Collaborated with lab to improve the point-of-care lab process and led the team to reduce the order error rate from over 60% to less than 5%.
- Created and implemented a billing process that was later launched across the network as a best practice.
- Participated in the corporate responsibility committee as the unit-based representative.
- Collaborated with care management, admitting, and outside consultants on process improvements.

Boston Scientific Corporation – Maple Grove, MN

January 2007 – December 2007

CORONARY SALES REPRESENTATIVE

- Supported interventional, specialty, and diagnostic cath lab product lines with an emphasis on staff education, customer support, and service.
- Negotiated, closed, launched intra-vascular ultrasound at large, competitive hospital.
- Obtained contract compliance to market share agreement with largest customer

St. Jude Medical – Minnetonka, MN

May 2006 – January 2007

SALES REPRESENTATIVE

- Supported specialty product, closure device, and diagnostic product lines; ensured staff and physician certification supported patient outcomes; and grew sales to achieve top-10 national ranking by 2007.
- Provided nursing unit training to ensure competency with the closure system across the patient care continuum.

Guidant Corporation – Santa Clara, CA

April 2001 – May 2006

SENIOR, PRINCIPAL, AND TARGETED CLINICAL SALES SPECIALIST

- Specialized in simplifying technical concepts and training fellows and staff.
- Selected regional specialist for new concept product launches, i.e. brachytherapy.
- Obtained three promotions and two national awards providing interventional cardiology line support for Arizona and Southern New Mexico.

Chandler, Tullar, Udall & Redhair LLP – Tucson, AZ

May 2000 – April 2001

ASSOCIATE ATTORNEY

- Assisted in civil litigation insurance defense work including medical malpractice and personal injury.
- Recruited and prepared expert witnesses, including interaction with claims managers.

Court of Appeals, Division Two – Tucson, AZ

February 1999 – May 2000

LAW CLERK

- Drafted opinion and decision memoranda for Hon. J. Pelander and Hon. J. Howard.
- Proofed staff attorney decisions with administrative staff.

Hospice Family Care – Tucson, AZ

May 1994 – July 1995

DIRECTOR OF ADMISSIONS

- Managed admissions team of 8 – 10 staff.
- Negotiated payment for non-contracted hospice benefits with state indigent insurers.

Advanced Cardiovascular Systems, Inc. – Santa Clara, CA

July 1988 – May 1994

PERSONNEL REPRESENTATIVE, HUMAN RESOURCES DEPT.

- Selected as internal team-member for comprehensive field sales restructuring/redeployment project to work with external consulting firm.
- Provided field sales and engineering department human resource support, recruitment, and training.

ASSOCIATE PRODUCT MANAGER, MARKETING DEPT.

- Supported product management for balloon dilatation segment comprising 50% of corporate sales revenues.

CLINICAL SPECIALIST, FIELD SALES DEPT.

- Selected Clinical specialist of the year first year in the position.
- Provided field sales support for angioplasty product line.

Other Employment – Legal and Clinical – Michigan and Arizona

- Legal Project Work, various firms 1997 – 1998
- Clinical Nursing Positions—critical care unit (CCU) and cardiac cath lab 1985 – 1988

EDUCATION

University of Arizona James E. Rogers College of Law – Tucson, AZ

1998

JURIS DOCTOR

- GPA 3.7/4.0 (11/149); Order of the Coif; Summa Cum Laude
- Arizona Law Review, Executive Note Editor: 1997 – 1998

University of Phoenix – San Jose, CA

1992

BACHELOR OF SCIENCE, BUSINESS ADMINISTRATION

Bronson Hospital School of Nursing – Kalamazoo, MI

1985

RN DIPLOMA

- First Honors and Nursing Excellence Award

LICENSES / MEMBERSHIPS

▪ Arizona State Bar #019483 ▪ Arizona RN #059995

▪ American Health Lawyers Association Member ▪ AZBIO (Arizona Bioindustry Association) Member



EXHIBIT C
Fee Statement Summary

Case Name: Astria Health
Case No: ED WA Yakima 19-01189
11/01/2019 to 11/30/2019

Cumulative Totals to Date						
	FEES BILLED	COSTS BILLED	HOLDBACK	FEES PAID	COSTS PAID	
	\$138,487.50	\$11,214.38	\$27,697.50	\$68,310.00	\$7,924.62	
Date:	14-Dec-19		Objection Deadline:		28-Dec-19	
MO/YR	PROFESSIONAL	RATE/HR	HOURS BILLED	TOTAL	HOLDBACK	AMT DUE
Nov-19	SUSAN N. GOODMAN	\$375.00	95.1	\$35,662.50	\$7,132.50	\$28,530.00
	TOTAL FEES			\$35,662.50	\$7,132.50	\$28,530.00
	TOTAL COSTS			\$2,302.36	N/A	\$2,302.36
	AMOUNT DUE			\$37,964.86		\$30,832.36



EXHIBIT C

Fee Statement Summary

Case Name: Astria Health
Case No: ED WA Yakima 19-01189
12/01/2019 to 12/31/2019

Cumulative Totals to Date						
	FEES BILLED	COSTS BILLED	HOLDBACK	FEES PAID	COSTS PAID	
	\$160,012.50	\$14,290.84	\$32,002.50	\$82,260.00	\$8,911.88	
Date:	22-Jan-20		Objection Deadline:		5-Feb-20	
MO/YR	PROFESSIONAL	RATE/HR	HOURS BILLED	TOTAL	HOLDBACK	AMT DUE
Dec-19	SUSAN N. GOODMAN	\$375.00	57.4	\$21,525.00	\$4,305.00	\$17,220.00
	TOTAL FEES			\$21,525.00	\$4,305.00	\$17,220.00
	TOTAL COSTS			\$3,076.46	N/A	\$3,076.46
	AMOUNT DUE			\$24,601.46		\$20,296.46

EXHIBIT D
Itemized Bills/Invoices

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1037**Invoice Date:** 12/11/2019**Bill To:**

Astria Health
ED WA Yakima
Case No. 19-01189

Billing Period: Nov 1-30, 2019

Date	Description	Hours/Qty	Rate	Amount
11/1/2019	docket management - new judge notice and pleading header update	0.1	375.00	37.50
11/1/2019	1/2 rate non-working travel TUS-PHX-PDX	2	375.00	750.00
11/1/2019	Follow up staff re current status and visit	0.3	375.00	112.50
11/2/2019	1/2 rate NW travel drive PDX-YAK	1.7	375.00	637.50
11/2/2019	site visit: interview clinicians; check in directors; interact staff and observe care at Regional	8.5	375.00	3,187.50
11/3/2019	Continued site visit Regional: Interact staff; observe care; interact clinicians and patients; manage travel status hearing	9.7	375.00	3,637.50
11/4/2019	update UST re weekend visits and concerns	0.7	375.00	262.50
11/4/2019	Visit Sunnyside - meet Directors, ANS, interact staff	6.5	375.00	2,437.50
11/4/2019	EMLs: follow up re site visit and decline press interview	0.6	375.00	225.00
11/5/2019	Physician follow up, calls, in person meetings, scheduling; call with Toppenish leadership; Sunnyside patient interviews; 1/2 rate NW travel to and from Sunnyside (.7); follow-up Regional	7.7	375.00	2,887.50
11/6/2019	Physician interviews; follow up director calls, staff follow-up hospital and clinic, compliance officer mtg, Toppenish visit	5.8	375.00	2,175.00
11/6/2019	1/2 rate NW travel Toppenish to PDX (3.6 total hours)	1.8	375.00	675.00
11/7/2019	docket mgmt (.2); begin drafting report (1.1); TXT follow up (.1)	1.4	375.00	525.00
11/7/2019	Continue drafting PCO report	1.3	375.00	487.50
11/8/2019	docket management and calendaring relative to PCO role (.2); attempted follow up cardiac rehab (.1); follow up clinician and staff (1.0); finish drafting consolidated supplemental report (3.6)	4.9	375.00	1,837.50

Total**Payments/Credits****Balance Due**

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1037**Invoice Date:** 12/11/2019**Bill To:**

Astria Health
ED WA Yakima
Case No. 19-01189

Billing Period: Nov 1 - 30, 2019

Date	Description	Hours/Qty	Rate	Amount
11/9/2019	Physician and staff follow up calls	0.6	375.00	225.00
11/10/2019	docket management consistent with PCO role (.2); call and EML follow up Dirs and MDs (1.0); Report revisions and Exhibit B partial completion for fees (1.2)	2.4	375.00	900.00
11/11/2019	Report follow up with Sunny DON and Regional COO (TXT and calls)- report edits and sent for accuracy review	0.7	375.00	262.50
11/11/2019	TXTs and calls with Leadership (x3) and MDs re report finalization; edit updates with new information; EML to team and UST; file and notice	3.7	375.00	1,387.50
11/12/2019	Clinician and concerned staff texts, emails, and calls (.8);	0.8	375.00	300.00
11/12/2019	Update UST	0.7	375.00	262.50
11/12/2019	oncology patient follow up calls and texts	0.6	375.00	225.00
11/13/2019	Txts and calls with staff; clinicians; leadership	0.8	375.00	300.00
11/14/2019	1/2 rate NW travel TUS to PHX to PDX to Yakima (total time 9 hrs or 4.5 hrs half rate)	3.2	375.00	1,200.00
11/14/2019	No charge 1/2 rate travel TUS to PHX to PDX to YAK	1.3	0.00	0.00
11/14/2019	Visit Selah and Summitview clinics; follow up re on site lab closures; clinician interviews	1.9	375.00	712.50
11/14/2019	Visit Regional on evenings and midnights (in to 15th) - ED, ICU, Pharmacy, Radiology - observe care and phone follow up as needed with staff	3.3	375.00	1,237.50
11/15/2019	Attend status conference hearing	2.5	375.00	937.50
11/15/2019	1/2 rate NW travel YAK to PDX to PHX to TUS (total hours 8.3 or 4.1 at half rate)	3.1	375.00	1,162.50
11/15/2019	No charge some of 1/2 rate travel YAK to PDX to PHX to TUS	1	0.00	0.00

Total**Payments/Credits****Balance Due**

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1037**Invoice Date:** 12/11/2019

Billing Period: Nov 1 - 30, 2019

Bill To:

Astria Health
ED WA Yakima
Case No. 19-01189

Date	Description	Hours/Qty	Rate	Amount
11/15/2019	Pre hearing site visit and follow up re lab, cath lab, pharmacy, clinician interviews, compliance, and director leadership	2.2	375.00	825.00
11/18/2019	docket management relative to PCO role - DE 761	0.1	375.00	37.50
11/19/2019	Physician call; clinic labs follow-up; review notes and analyze additional open follow-up items; docketing and calendaring relative to PCO role	1.2	375.00	450.00
11/20/2019	Clinician concern calls x2	0.8	375.00	300.00
11/22/2019	MORs and additional clinic follow up	0.3	375.00	112.50
11/24/2019	Prepare 4th Monthly Fee Application	2.7	375.00	1,012.50
11/24/2019	Prepare First Interim Fee Application from June through Oct and associated pleading documents	3.7	375.00	1,387.50
11/24/2019	calendaring (triplicate) of scheduling order for status conferences through June	0.3	375.00	112.50
11/25/2019	Follow up court re hearing date for fee app; follow up call planning with CRO	0.2	375.00	75.00
11/25/2019	Follow up with Directors x2 (.5); file and notice 4th monthly fee app (.4); follow up JA re fee app hearing date/time (NC); finalize, file, and notice 1st interim fee application (1.8)	2.7	375.00	1,012.50
11/26/2019	Draft 3d 2015.1 notice (.2); EML quality team to upload data (.1); follow up re waived labs (.1); update call Toppenish (.4); update call radiology (.3); attempted follow-up CRO (.1); call re records (.6); follow up quality team member and UST (.3)	1.9	375.00	712.50
11/27/2019	EML follow up re equipment and follow up re notice recipient error (.2); call from physician with patient safety concerns and follow-up (.5)	0.7	375.00	262.50

Total**Payments/Credits****Balance Due**

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1037**Invoice Date:** 12/11/2019

Billing Period: Nov 1 - 30, 2019

Bill To:

Astria Health
ED WA Yakima
Case No. 19-01189

Date	Description	Hours/Qty	Rate	Amount
11/29/2019	Call with COS and DON in follow up to ICU concerns; current dynamics; EML review re same	1	375.00	375.00
	Subtotal Professional Fees			35,662.50
11/1/2019	Astria SV 3 - MEALS - Barrio Cafe (PHX)		4.33	4.33
11/2/2019	Astria SV 3 HOTEL Hampton Inn PDX		121.03	121.03
11/2/2019	Astria SV 3 MEALS Hilton Garden		2.25	2.25
11/2/2019	Astria SV 3 MEALS - Zesta Cucina		48.09	48.09
11/2/2019	Astria SV3 MEALS		2.75	2.75
11/3/2019	Astria SV 3 MEALS Hilton Garden		19.15	19.15
11/3/2019	Astria SV 3 MEALS - Mel's Diner		22.78	22.78
11/4/2019	Astria SV 3 CAR RENTAL Fuel Shell		31.75	31.75
11/4/2019	Astria SV 3 MEALS Wal Mart		9.28	9.28
11/4/2019	Astria SV 3 MEALS - Hilton Garden Inn		19.15	19.15
11/5/2019	Astria SV 3 - MEALS Mel's Diner		14.68	14.68
11/6/2019	Astria SV 3 AIRFARE - credit ticket and repurchase same rate		-491.98	-491.98
11/6/2019	Astria SV 3 AIRFARE rebook flight home		491.98	491.98
11/6/2019	Astria SV 3 CAR RENTAL fuel Costco		33.81	33.81
11/6/2019	Astria SV 3 MEALS MAK Daddy		7.41	7.41
11/6/2019	Astria SV 3 - MEALS - Gas Station		1.69	1.69
11/6/2019	Astria SV 3 Cash Tips for Free Breakfast		8.00	8.00
11/7/2019	Astria SV 3 HOTEL Hilton Garden (Astria Rate)		795.30	795.30
11/7/2019	Astria SV 3 HOTEL PDX Hilton Garden		210.77	210.77
11/7/2019	Astria SV 3 CAR RENTAL National		346.91	346.91
11/7/2019	Astria SV 3 PARKING Hilton Garden		40.00	40.00
11/7/2019	Astria SV 3 - PARKING FEES/TOLLS Sky Harbor		72.00	72.00
11/7/2019	Astria SV 3 MEALS Blue Star Donut		6.75	6.75
11/14/2019	Astria SV4/HRG MEALS Starbucks		9.60	9.60
11/14/2019	Astria SV4/HRG MEALS Zesta Cucina		26.64	26.64
11/15/2019	Astria SV4/HRG HOTEL Hilton Garden Inn		171.02	171.02

Total**Payments/Credits****Balance Due**

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1037**Invoice Date:** 12/11/2019

Billing Period: Nov 1 - 30, 2019

Bill To:

Astria Health
ED WA Yakima
Case No. 19-01189

Date	Description	Hours/Qty	Rate	Amount
11/15/2019	Atria Hearing/SV4 CAR RENTAL		132.19	132.19
11/15/2019	Astria SV4/HRG CAR RENTAL fuel		23.85	23.85
11/15/2019	Astria SV4/HRG CAR RENTAL Fuel		33.28	33.28
11/15/2019	Astria Sky Harbor Airport PARKING FEES/TOLLS		24.00	24.00
11/15/2019	Astria Hilton Garden PARKING FEES/TOLLS		10.00	10.00
11/15/2019	Astria Hearing MEALS Kenny Zukes		21.20	21.20
11/25/2019	Astria Mo Fee App Postage (4th)tage and Delivery		3.30	3.30
11/26/2019	Astria 1st Fee App USPS POSTAGEstage and Delivery		29.40	29.40
	Total Reimbursable Expenses			2,302.36
Total				\$37,964.86
Payments/Credits				\$0.00
Balance Due				\$37,964.86

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1047**Invoice Date:** 1/15/2020

Invoice period: Dec 1 - 31, 2019

Bill To:

Astria Health
ED WA Yakima
Case No. 19-01189

Date	Description	Hours/Qty	Rate	Amount
12/2/2019	Receive and follow up on request for third consolidated report	0.2	375.00	75.00
12/3/2019	Follow up Director leadership; COS; CRO: UST; calendaring of anticipated case milestone dates proposed bid procedures	0.5	375.00	187.50
12/4/2019	TXT, Call, EML follow up re Dept Health Survey with leadership/UST; follow up Directors and Clinicians re call in concerns;	2.9	375.00	1,087.50
12/5/2019	follow up Director cath lab re clinician concerns (.3); follow up hearing recordings re case status (1.0); EML follow up concerned clinician (CRO, TXT COO) (.2)	1.5	375.00	562.50
12/6/2019	Docket management r/t PCO role; respond to anonymous clinician concern	0.4	375.00	150.00
12/6/2019	EML and follow up with clinician concerns and service line director	0.2	375.00	75.00
12/6/2019	Additional clinician email exchanges and accusations (anonymous), responses, and service line follow up	1.1	375.00	412.50
12/11/2019	Manage travel for site visit; TXT, EML, and call staff and leadership for follow-up; prepare Exhib B and invoice;	1.8	375.00	675.00
12/12/2019	EML Les re departures and follow up clinical leadership; finalize 2015.1 (3rd) for filing	0.3	375.00	112.50
12/13/2019	High level review of DE 818; file and serve 2015.1; follow up staff; draft 5th monthly fee app and supporting documents	2.6	375.00	975.00
12/15/2019	Receipt and review of anonymous letter of concern; follow up re same	0.3	375.00	112.50
12/16/2019	1/2 non-working travel TUS to PHX to PDX to YAK	4	375.00	1,500.00
12/16/2019	Site visit: Prosser and Birch Clinics - meet new mgr; interview providers and staff; review processes	3.4	375.00	1,275.00

Total**Payments/Credits****Balance Due**

**Pivot Health Law, LLC**

P.O. Box 69734
Oro Valley, AZ 85737

Invoice

Invoice #: 1047**Invoice Date:** 1/15/2020

Invoice period: Dec 1 - 31, 2019

Bill To:

Astria Health
ED WA Yakima
Case No. 19-01189

Date	Description	Hours/Qty	Rate	Amount
12/16/2019	1/2 non working travel between Prosser/Sunnyside/Yakima	0.4	375.00	150.00
12/16/2019	Follow up calls directors and UST	1	375.00	375.00
12/17/2019	Site visit: speech; mammo; vascular clinic; general surgery clinic; ortho clinic; ASC	3.1	375.00	1,162.50
12/17/2019	Site visit: ANS; ED; Radiology; Resp Tx; Pharmacy; ACU; ICU; 4C; Hospitalists	4.4	375.00	1,650.00
12/17/2019	Docket management consistent with PCO role [DEs 818, 828, 829, 830, 831]	1.1	375.00	412.50
12/18/2019	EML follow up CRO/counsel (.3); follow up case mngmnt; ICU (.7); attend hearing x2 (3.4); follow up physicians, ED, biomed, facilities, outpatient cardiology/cath lab, clinical lab (3.5); docket mgmt and travel mgmt due to weather (.6)	8.5	375.00	3,187.50
12/19/2019	clinician and dept leadership follow up (.6); follow-up law clerk re docket (.3 NC); follow up clinic leadership, UST, MDs, sunnyside clinics x3 (2.4); 1/2 travel btwn YAK/Sunnyside and back (bad roads) (1.0); hospital follow up (1.3)	5.3	375.00	1,987.50
12/20/2019	Clinician meeting	1	375.00	375.00
12/20/2019	Toppenish site visit (2.2) (met new CEO); 1/2 rate travel YAK-TOP-PDX (2.0)	4.2	375.00	1,575.00
12/20/2019	1/2 travel PDX to PHX to TUS (through Sacramento)	2.5	375.00	937.50
12/20/2019	Prepare Exhib B; DE 840 - 842 management and updates	0.5	375.00	187.50
12/21/2019	Post site visit follow up	0.2	375.00	75.00
12/25/2019	Docket management relative to PCO role - MOR	0.1	375.00	37.50
12/29/2019	Review and analyze notes; draft third interim report and to UST for review	4.8	375.00	1,800.00
12/29/2019	Draft and EML follow up re missing postings at Prosser and counseling office	0.3	375.00	112.50

Total**Payments/Credits****Balance Due**

**Pivot Health Law, LLC**P.O. Box 69734
Oro Valley, AZ 85737**Invoice****Invoice #:** 1047**Invoice Date:** 1/15/2020

Invoice period: Dec. 1 - 31, 2019

Bill To:Astria Health
ED WA Yakima
Case No. 19-01189

Date	Description	Hours/Qty	Rate	Amount
12/31/2019	edit 3d report; prepare notice certificate of service; file and serve 3d report	0.8	375.00	300.00
	Subtotal Professional Fees			21,525.00
11/4/2019	Astria AIRFARE - Nov Hearing (missed in prior billing)		491.98	491.98
11/5/2019	Astria AIRFARE - Nov Hearing (missed in prior billing)		491.98	491.98
12/11/2019	Astria SV 5 AIRFARE -one way		491.98	491.98
12/16/2019	Astria SV 5 CAR RENTAL Fuel		11.76	11.76
12/16/2019	Chevron Goldendale Astria SV 5 MEALS		2.88	2.88
12/16/2019	Astria SV 5 MEALS		10.32	10.32
12/17/2019	Astria SV 5 Zesta Cucina MEALS		22.94	22.94
12/19/2019	Astria SV 5 AIFARE		496.18	496.18
12/19/2019	Astria SV 5 ARCO CAR RENTAL Fuel		25.40	25.40
12/20/2019	Astria SV 5 AIRFARE Misc Charge Flight Cancellation Ins		36.54	36.54
12/20/2019	Astria SV 5 HOTEL Hilton Garden Inn		600.70	600.70
12/20/2019	Astria SV 5 CAR RENTAL National		239.17	239.17
12/20/2019	Astria SV 5 CAR RENTAL Fuel Chevron		15.93	15.93
12/20/2019	Astria SV 5 PARKING FEES/TOLLS Hilton Garden Inn		40.00	40.00
12/20/2019	Astria SV 5 PARKING FEES/TOLLS Sky Harbor Airport		60.00	60.00
12/20/2019	Astria SV 5 MEALS Mod Pizza PDX		10.14	10.14
12/20/2019	Astria SV 5 MEALS MAK Daddy Coffee		12.58	12.58
12/19/2019	Astria SV 5 MEALS Hilton Garden Inn		15.98	15.98
	Total Reimbursable Expenses			3,076.46
Total				\$24,601.46
Payments/Credits				\$0.00
Balance Due				\$24,601.46

EXHIBIT E
LF 2016; Local Form 2016A; Local Form 2016B; Local Form 2016C

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

Case Name: Astria Health, et al.Case Number: 19-01189

**APPLICATION FOR AWARD OF COMPENSATION FOR SERVICES RENDERED
AND REIMBURSEMENT OF EXPENSES PURSUANT TO 11 USC 330, AND FOR
APPROVAL OF THE PAYMENT OF BANK FEES**

Name of Applicant: Susan N. GoodmanPosition of Applicant: Healthcare OmbudsmanApplication Number: Second ☒ Interim ☐ Final

The undersigned applicant applies to the court for an award or allowance of compensation for services rendered and for reimbursement of expenses incurred in the above entitled case pursuant to 11 USC 330 (or USC 331 if an interim application), and for approval of the payment of bank fees pursuant to sections 363 and 503(b). This application is supported by the following information and attached documents.

- I.
- (If applicant is employee of trustee, debtor in possession or creditors committee)*

Date of Entry of Order Approving Employment: June 17, 2019

- II. Dates Covered by this Application:
- November 2019
- to
- December 2019

- III. The name, position, hourly rate, total time spent and amount requested for all compensation for services rendered by each person covered by this application, in connection with this case, is as follows (if this is the **FIRST** Application, include **ALL** time and amounts, both pre- and post-petition in this Application):

Name	Position	Hourly Rate	Total Time	Amount Requested
Susan N Goodman	PCO	\$ 375.00	152.50	\$57,187.50
		\$		\$ 0.00
		\$		\$ 0.00
		\$		\$ 0.00
		\$		\$ 0.00
		\$		\$ 0.00
Totals			152.50	\$57,187.50

- IV. Total amount of REIMBURSEMENT of expenses requested by this application in connection with this case [if this is the **FIRST** Application, include **ALL** costs (including filing fees), both pre- and post-petition]:

\$ 5,378.82

- V. Total of Compensation and Reimbursement requested:

\$ 62,566.32

- VI. *(If applicant is a trustee)* The maximum amount of compensation allowable under 11 USC 326(a) is: \$ _____.
- VII. *(If applicant is an employee of trustee, debtor in possession or creditors committee).* All compensation for services rendered and reimbursement of expenses incurred for which award is sought were necessary to the administration of the case, beneficial to the estate, and does not include any unnecessary duplication of services.
- ☐ Yes ☐ No ☒ N/A *(If answer is NO, attach an explanation.)*
- VIII. *(If applicant is the attorney for the debtor)* All compensation for services rendered and reimbursement for expenses incurred for which award is sought for representing the interests of the debtor(s) were necessary and beneficial to the debtor(s) in connection with the case.
- ☐ Yes ☐ No ☒ N/A *(If answer is NO, attach an explanation.)*
- IX. Compensation or reimbursement previously received has been shared with another entity, or an agreement or understanding exists between the applicant and any other entity for sharing of compensation received or to be received for services rendered in or in connection with this case, except as a member or regular associate of a firm of lawyers.
- ☐ Yes ☒ No *(If answer is YES, attach an explanation.)*
- X. Attached to this application, and made part of this application are the following supporting documents:
- a. ☒ Statement of Money or Property Received or Promised Other than by Applicant *(required in all cases, LF 2016A);*
 - b. ☒ Summary Supporting Application for Compensation for Services or Reimbursement of Expenses *(required in all cases, LF 2016B);*
 - c. ☒ Itemization of Services Rendered *(required; itemization must be by project category if cumulative compensation exceeds \$10,000);*
 - d. ☒ Itemization of Expenses *(required);* and
 - e. ☒ Narrative Summary *(required if cumulative compensation exceeds \$10,000, LF 2016C).*
- XI. Bank Fees: \$ 0.00

The undersigned Applicant states under penalty of perjury that the representations contained in this application and attachments are true and correct to the best of the applicant's knowledge and belief.

DATED: 1/24/2020

Susan N. Goodman
(Signature of Applicant)

Name: Susan N. Goodman
Position: Healthcare Ombudsman
Address: P.O. Box 69734, Oro Valley, AZ 85737
Phone: 520.744.7061
Fax: 520.575.4075
Email: sgoodman@pivotohealthaz.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

Astria Health, et al.

Case Name: _____

Case Number: 19-01189

**STATEMENT OF MONEY OR PROPERTY RECEIVED OR PROMISED
IN CONNECTION WITH THIS CASE OTHER THAN BY APPLICATION OR A PLAN**

Name of Applicant: Susan N. Goodman
 Position of Applicant: Healthcare Ombudsman
 Application Number: Second



No Money or property was received or promised other than by application as a part of a Chapter 13 Plan.

(a) Money or things of value received other than by application or as part of a Chapter 13 Plan:

- (1) Amount received by attorney or firm for filing fee \$ _____
- (2) Amount received before the order for relief by attorney or firm for services and costs \$ _____
- (3) Amount received after the order for relief by attorney or firm for services and costs \$ _____
- (4) Value of any property or service given to attorney or firm as payment of fees and costs \$ _____
Description: _____
- (5) Total of entries 1, 2, 3 and 4 \$ 0.00
- (6) Amount remaining in client trust account \$ _____

(b) Amount applied to filing fee and services \$ 0.00
(Subtract entry (a)(6) from entry (a)(5))

(c) Money promised: \$ _____
Nature of arrangement for promise of payment: _____

(d) Total amount and value of all money or property received or promised other than by Application or a Chapter 13 Plan (items (a)(5) and (c)) \$ 0.00

(e) Other Items (Value and description of any liens, guarantees, security interests or promissory notes): _____

(f) Source of Payment of Promise (If other than the debtor, identify entity and relationship to the debtor): _____

STATEMENT OF MONEY OR PROPERTY RECEIVED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

Case Name: Astria Health, et al.Case Number: 19-01189

**SUMMARY SUPPORTING APPLICATION FOR COMPENSATION FOR
SERVICES OR REIMBURSEMENT OF EXPENSES**

Name of Applicant: Susan N. GoodmanPosition of Applicant: Healthcare OmbudsmanApplication Number: Second

Sequential #		Applied for	Awarded	Received
A Receipts other than by Application (Transfer from (b) of Application LF 2016A)	Date Compensation Expenses			<u>NA</u> \$ _____ \$ _____
Prior Application # <u>1</u>	Date Compensation Expenses	<u>11/25/2019</u> \$ <u>102,825.00</u> \$ <u>8,912.02</u>	<u>12/20/2019</u> \$ <u>102,825.00</u> \$ <u>8,912.02</u>	<u>Monthly Interim</u> \$ <u>82,260.00</u> \$ <u>8,911.88</u>
Prior Application # _____	Date Compensation Expenses	\$ _____ \$ _____	\$ _____ \$ _____	\$ _____ \$ _____
Prior Application # _____	Date Compensation Expenses	\$ _____ \$ _____	\$ _____ \$ _____	\$ _____ \$ _____
Present Application (Transfer totals from III & IV of Application) # <u>2</u>	Date Compensation Expenses	<u>01/24/2020</u> \$ <u>57,187.50</u> \$ <u>5,378.82</u>		
Totals	Compensation Expenses	\$ <u>0.00</u> \$ <u>0.00</u>	\$ <u>0.00</u> \$ <u>0.00</u>	\$ <u>0.00</u> \$ <u>0.00</u>
B	Total Comp. + Exp.	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>

SUMMARY SUPPORTING APPLICATION FOR
COMPENSATION AND REIMBURSEMENT OF EXPENSES

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

Case Name: Astria Health, et al.Case Number: 19-01189

NARRATIVE SUMMARY (Required by
LBR 2016-1(b)(1)(A) where requested
compensation exceeds \$10,000.00)

Name of Applicant: Susan N GoodmanPosition of Applicant: Healthcare OmbudsmanApplication Number: 2

I. Background of the Case:

Astria Health, et al. filed its Chapter 11 bankruptcy petition May 6, 2019. The Patient Care Ombudsman ("PCO") appointment occurred June 17, 2019. The Astria Health system patient care delivery locations included Astria Regional Medical Center, Astria Toppenish Hospital, Astria Sunnyside Hospital and more than 40 associated clinics that were located in approximately 23 distinct physical locations from the hospitals. Under 11 U.S.C. 333, the PCO was tasked with monitoring the quality of patient care services at these locations during the bankruptcy.

II. Financial Condition of the Estate:

A. Profit and Loss: defer to Estate professionalsB. Amount of Cash on Hand or on Deposit: defer to Estate professionalsC. Amount of Accrued Unpaid Administrative Expenses: defer to Estate professionalsD. Amount of Unencumbered Funds in the Estate: defer to Estate professionals

III. Status of the Case:

The Debtors are operating their business as Debtors in Possession. An interim order authorizing Debtors to obtain replacement postpetition financing was granted December 20, 2019 (DE 841) with a final hearing recently moved from January 22, 2020 to February 5, 2020. The Debtors are expected to extend current dates/deadlines associated with alternative transaction and refinancing options.

IV. Description of Tasks or Projects for which Compensation is Sought:

Due PCO engaged in third site visit of hospitals and some of the associated clinics between November 1 and 7, 2019; an additional site visit and attendance at status hearing November 14-15, 2019 (4th visit); and, a 5th site visit December 16 through 21, 2019. In addition to site visits, PCO engaged in regular remote interaction/monitoring with clinicians, directors, and staff, including receipt and follow-up on anonymous patient concerns.

V. If a Chapter 11 Case:

A. Status of the Plan and Disclosure Statement:

On November 11, 2019, the Debtors filed their Bid Motion [DE 765], which the Court granted on December 6, 2019 [Docket No. 807]. After the closure of Regional in mid January, Debtors determined that additional time through the extension of deadlines associated with alternative transactions and refinancing options would be in the best interest of the Estate.

B. Status of Submission of Monthly Operating Statements:

Current

C. Payment of Quarterly U.S. Trustee Fees: Current

VI. Other Information:

Due to PCO's limited focus on patient care, she defers to the various estate professionals and the Debtors' Monthly Operating Statements for financial information.

Because PCO inadvertently filed the First Interim Fee Application out-of-sequence with other Estate professionals, the timing of this second interim application is intended to get PCO in sequence with that timing.

EXHIBIT F
LF 2016D
Proposed Order

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

ASTRIA HEALTH, et al.

Debtor(s)

Case No. 19-01189-11

**ORDER AWARDING COMPENSATION
FOR SERVICES RENDERED AND
REIMBURSEMENT OF EXPENSES
PURSUANT TO 11 U.S.C. §330 or §331,
AND APPROVING THE PAYMENT OF
BANK FEES**

THIS MATTER HAVING come before the Court on the # Second (☒ interim ☐ final)
application of Susan N. Goodman dated January 24, 2020, docket # , notice
docket # and certificate of service docket # , for an order allowing compensation
for services rendered and reimbursement of expenses in the above entitled case; and the court
being fully advised in the premises:

NOW THEREFORE the below listed amounts are hereby allowed and awarded as compensation
and reimbursement pursuant to 11 USC §330 or §331, and approved as bank fees pursuant to
§363 and §503(b), to the above-named applicant and are authorized to be disbursed or
transferred from funds of the above entitled estate, subject to the availability of funds and the
provision of any confirmed plan. *

Compensation in the amount	\$ <u>57187.50</u>
Reimbursement in the amount of	\$ <u>5378.82</u>
Bank fees	\$ <u> </u>
TOTAL	\$ <u>62566.32</u>

* If for first application, includes compensation earned pre-petition and filing fees and other costs incurred pre-petition.

ORDER AWARDING COMPENSATION - 1

Summary of all prior awards and approvals on previous applications:

Compensation	\$ 102825.00
Reimbursement	\$ 8912.02
Bank fees	\$
Total	\$ 111737.02

Disbursement information for this award:

Received directly from debtor by application (if for first application)	\$
To be paid by transfer from attorney trust account:	\$ 0.00
To be paid by trustee	\$ 0.00
Total	\$ 0

///End of Order///

Presented by:

/s/ Susan N. Goodman
Pivot Health Law, LLC
P.O. Box 69734, Oro Valley, AZ 85737
520.744.7061

(Signature/address/phone)