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Patient Care Ombudsman

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

In re:

Chapter 11

ASTRIA HEALTH, et.al.¹

Case No. 19-01189 FLK

Jointly Administered

Debtors in Possession.

**PATIENT CARE OMBUDSMAN'S THIRD INTERIM REPORT
 (CONSOLIDATED)**

Pursuant to 11 U.S.C. §333 of the Bankruptcy Code (the “**Code**”) and this Court’s June 11, 2019 *Amended Order Directing United States Trustee to Appoint Patient Care Ombudsman* [Docket No. 241], the United States Trustee filed its’ *Appointment of Patient Care Ombudsman* on June 17, 2019 at Docket No. 278. The Code requires that the Patient Care Ombudsman (“**PCO**”) monitor the quality of patient care and report PCO’s findings to the Court no less than every sixty (60) days.

Accordingly, PCO engaged in an initial site visit and filed the *Patient Care Ombudsman’s First Interim Report for Astria Regional Medical Center and Geographically Associated Clinics and/or Departments*

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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1 [Docket No. 465] (“**First Regional Report**”); *Patient Care Ombudsman’s First Interim Report for Astria*
2 *Toppenish Hospital and Geographically Associated Clinics and/or Departments* [Docket No. 464] (“**First**
3 **Toppenish Report**”); and, *Patient Care Ombudsman’s First Interim Report for Astria Sunnyside Community*
4 *Hospital and Geographically Associated Clinics and/or Departments* [Docket No. 463] (“**First Sunnyside**
5 **Report**”). This series of reports was filed on August 9, 2019.

6 In late September, PCO engaged in a second site visit and filed *Patient Care Ombudsman’s Second*
7 *Interim Report for Astria Regional Medical Center and Geographically Associated Clinics and/or Departments*
8 [Docket No. 682] (“**Second Regional Report**”) on October 9, 2019. On October 11, 2019, PCO filed
9 *Patient Care Ombudsman’s Second Interim Report for Astria Toppenish Hospital and Geographically Associated*
10 *Clinics and/or Departments* [Docket No. 686] (“**Second Toppenish Report**”) and *Patient Care*
11 *Ombudsman’s Second Interim Report for Astria Sunnyside Community Hospital and Geographically Associated Clinics*
12 *and/or Departments* [Docket No. 687] (“**Second Sunnyside Report**”). When interim monitoring efforts
13 revealed various staff departures and position reductions, PCO engaged in a third site visit. To timely
14 communicate the findings of the third site visit to the Court, PCO filed the *Patient Care Ombudsman’s*
15 *First Supplemental Report* (“**First Supplemental Report**”) on November 11, 2019 at Docket No. 750 in
16 advance of the November status hearing. On December 31, 2019, PCO filed *Patient Care Ombudsman’s*
17 *Third Interim Report (Consolidated)* at Docket No. 855. On January 8, 2020, Debtors received approval to
18 shut down the Astria Regional Medical Center (“**Regional**”) location. PCO made a site visit (sixth) to
19 Regional after the decision to close the Emergency Department (“**ED**”) at 12:01 am was announced.
20 The last inpatient was reported as departed from Regional within 24-hours of the ED closure. Since
21 Regional’s closure, PCO has been monitoring reported shifts in outpatient service offerings, and
22 potential patient care concerns related to the shifting of services. PCO comes now and files *Patient Care*
23 *Ombudsman’s Fourth Interim Report (Consolidated)* detailing remote monitoring efforts and significant
24 reported changes since Regional’s closure. Because of the timing of Debtors’ regularly scheduled status
25 conference, PCO has chosen to advance the filing of this report to coincide with that hearing.

26 SUMMARY

1 Since Regional's closure, the most significant reported changes in services relate to those
2 services provided at the three-story, Medical Office Building ("MOB") situated on Regional's campus.
3 Prior to Regional's closure the MOB service areas included: mammography/breast center, cardiology
4 clinic, outpatient therapy services on the First Floor; vascular surgery clinic, GI/urology clinic, general
5 surgery clinic, ambulatory surgery center ("ASC") services on the Second Floor; and,
6 orthopedic/occupational medicine clinic on the Third Floor. Anticipated with Regional's closure was
7 the closure of mammography/breast center given its' affiliation with Regional's radiology services.
8 Further, outpatient therapy services moved, as anticipated, to the Summitview Specialty Clinic referred
9 to as the Nova Clinic and to the Sunnyside Outpatient Therapy Services location.

10 Thereafter, the interventional cardiologist, the electrophysiologist, the nuclear-medicine
11 cardiologist, and one of the invasive/non-interventional cardiologist's contracts were rejected, leaving
12 two invasive/non-interventional cardiologists to absorb the full patient panel. The main, *locum tenens*,
13 vascular surgeon and some number of support staff from that clinic were also reported as departing
14 shortly after Regional's closure.

15 PCO interviewed one of the two remaining cardiologists who reported each remaining
16 cardiologist was seeing a full clinic panel of approximately 20 patients per clinic day after the four
17 clinicians departed. Delays in invasive and non-invasive cardiac testing scheduling were reported.
18 However, one of these two remaining cardiologists and a medical assistant were let go on February 12,
19 2020. The departing clinician reported outstanding dictation (reported as approximately 3 – 4 weeks of
20 dictation) and patient care transition concerns with the abrupt contract rejection.

21 In addition, two of three general surgeons were let go the same day. The Practice Manager was
22 also let go and some number of clinic staff. Further, the occupational medicine clinic was closed, and
23 two of the four orthopedic surgeons were let go (it is believed that one orthopedic surgeon's departure
24 was several weeks in advance of the other). The clinicians PCO spoke to reported being told their
25 contracts were rejected without notice at the end of the workday. Again, specific patient care transition
26 concerns were reported including some who were one-day post-operative with no "warm" hand off to

1 remaining providers. The abruptness of the contract rejections left clinicians expressing AMA Medical
2 Ethics concerns.

3 Because the third general surgeon was out on vacation at the time of these reported contract
4 rejections (and through the weekend), PCO reached out the two Sunnyside and one Toppenish General
5 Surgeons to inquire about general surgery call coverage and patient hand-offs for these clinician panels.

6 PCO further reached out to the Chiefs of Staff for Sunnyside and Toppenish to inquire about
7 patient panel handoffs. At the time of filing this report, generally, clinician specialists and the medical
8 staff leadership reported self-organizing to capture specific departed clinician concerns to minimize
9 patient impact from these abrupt specialty services transitions. Medical staff competency, credentialing,
10 and privilege gaps were also discussed. Ultimate patient impacts will be difficult to discern given these
11 various dynamics.

12 SUMMARY AND NEXT STEPS

13 Remaining clinicians reported anticipated clinic consolidation to the Nova Clinic location,
14 leaving a part-time GI clinician, a part-time outpatient vascular clinician, one cardiologist, and the ASC
15 at the MOB location. Given the continued flux of clinician services offered in the Yakima corridor and
16 associated potential patient impacts, PCO will look to engage in a seventh site visit in the next several
17 weeks, updating the court with supplemental reports as necessary.

18 DATED: February 19, 2020

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing report has been electronically filed with the Clerk of the Court using the CM/ECF filing system and a true and correct copy of this pleading has been sent to the following parties or counsel of record who have registered to receive electronic notice.

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DATED: February 19, 2020

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