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Proposed Attorneys for Jacob Nathan Rubin, MD, FACC, Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

9 In re:)	Case No.: 22-02384-LT11
10 BORREGO COMMUNITY HEALTH)	
11 FOUNDATION,)	Chapter 11 Case
12 Debtor and Debtor In Possession.)	
)	APPLICATION OF PATIENT CARE
)	OMBUDSMAN TO EMPLOY DR. TIM
)	STACY DNP, ACNP-BC AS
)	CONSULTANT EFFECTIVE AS OF
)	SEPTEMBER 16, 2022; DECLARATION
)	IN SUPPORT THEREOF

Judge: Hon. Laura S. Taylor



Jacob Nathan Rubin, MD, FACC, the Patient Care Ombudsman (“PCO”) appointed under Section 333 of the Bankruptcy Code in the above-referenced chapter 11 bankruptcy case of the affected debtor and debtor in possession (the “Debtor”), hereby submits his application (“Application”) for Court approval of his employment of Dr. Tim Stacy DNP, ACNP-BC (“Dr. Stacy”) as a consultant, at the expense of the Debtor’s estate, with compensation determined and paid pursuant to 11 U.S.C. § 330 and orders of this Court, effective as of September 16, 2022, the date of appointment of the PCO pursuant to the filing of the Office of the United States Trustee (“UST”) of that certain “*Notice of Appointment of Patient Care Ombudsman*” [Dkt. 25]. In support of this Application, the PCO hereby alleges as follows:

A. Brief Description Of The Debtor And Its Business.

The Debtor commenced this case by filing a voluntary petition for relief under Chapter 11 of the Bankruptcy Code on September 12, 2022 (“Petition Date”). Since the Petition Date, the Debtor has operated its business and managed its affairs as a debtor-in-possession pursuant to Section 1107 and 1108 of the Bankruptcy Code.

According to the Debtor, the Debtor is a nonprofit federally qualified health center that provides health care services to low income and rural patients (collectively, “Patients”) in San Diego and Riverside Counties through a system of at least eleven (11) clinics, two (2) pharmacies, and six (6) mobile units [Dkt. 3]. In 2021, the Debtor provided approximately 386,000 patient care visits to over 94,000 patients. *Id.* The Debtor’s services include comprehensive primary care, urgent care, behavioral care, veteran’s health, chiropractic services, tele-health, and pharmacy. *Id.* As a result of the Debtor providing these services, the Debtor qualifies as a “health care business” as that term is defined in Bankruptcy Code § 101(27)(A). Accordingly, under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, a patient care ombudsman must be appointed in the bankruptcy of a “health care business” to ensure that the medical care provided to patients is not declining or being materially compromised during the bankruptcy.

B. Appointment Of Jacob Nathan Rubin, MD, FACC As PCO.

Following due diligence and interviews by UST and based on his highly regarded credentials and substantial experience as a licensed medical doctor and in hospital operations and management

1 spanning over 30 years, on September 16, 2022, the office of the United States Trustee (the “UST”)
 2 filed its “*Notice Of Appointment Of A Patient Care Ombudsman*” [Dkt. 25], pursuant to which the
 3 UST appointed Jacob Nathan Rubin, MD, FACC, to serve as the PCO in the Debtors’ cases.

4 **C. The PCO’s Need And Request To Employ Dr. Tim Stacy DNP, ACNP-BC And His**
 5 **Qualifications.**

6 The PCO is an individual, and not a business with employees. With less than sixty (60) days
 7 to submit his initial report to the Court as to the quality of patient care provided to the thousands of
 8 patients at the eleven (11) clinics, two (2) pharmacies, and six (6) mobile units where the Debtor
 9 services patients, the PCO immediately requires the assistance of Dr. Stacy to adequately, efficiently
 10 and timely discharge his duties and submit his reports to the Court. In addition to reviewing a variety
 11 of hospital and patient records, reports and related information, the PCO intends to, among other
 12 things, tour numerous locations of the Debtor’s operations and speak to the key senior management
 13 members, Board of Directors and/or executive committees and certain patients and employees. In
 14 short, there is a lot of tasks for the PCO to perform in a short span of time and immediate assistance
 15 is needed from Dr. Stacy to fulfill such tasks.

16 Annexed hereto is the Declaration of Dr. Stacy, and his curriculum vitae is attached as **Exhibit**
 17 **1** to his Declaration. As set forth therein, Dr. Stacy is highly qualified to assist and facilitate the PCO
 18 in timely and competently carrying out his duties, and will streamline the PCO’s ability to focus on
 19 patient care issues. As set forth in his curriculum vitae, Dr. Stacy is a licensed doctor of clinical
 20 practice, a Board-certified acute care nurse practitioner, and also a clinical professor at UCLA. Based
 21 on Dr. Stacy qualifications and experience, his participation and engagement will significantly
 22 enhance the PCO’s ability and success in focusing and addressing patient care issues at the Debtors’
 23 facilities.

24 Bankruptcy courts, including courts in the Ninth Circuit, routinely authorize patient care
 25 ombudsmen to retain professionals. *See, e.g., In re Plaza Healthcare LLC, et al.*, (Bankr. C.D. Cal.
 26 Case No. 8:14-bk-11335-CB); *In re Synergy Hematology-Oncology Med. Assocs.*, 433 B.R. 316, 318
 27 (Bankr. C.D. Cal. 2009) (holding a PCO could employ counsel to assist in a health care bankruptcy
 28 case); *In re Fairfax MRI Ctr.*, (Bankr. C.D. Cal. Case No. 2:07-bk-17992 ER); *In re Ehab A.*

1 *Mohamed Medical Corp., Inc.*, (Bankr. C.D. Cal. Case No. 8:08-bk-18104 GM); *In re Kenneth*
 2 *Lawenda OD*, (Bankr. C.D. Cal Case No. 2:08-bk-10796-RN); *Robert W. Hunt, A Medical Corp.*,
 3 (Bankr. C.D. Cal. Case No.: Case 2:11-bk-58228-ER); *Michael M. Kamrava*, (Bankr. C.D. Cal. Case
 4 No. 2:11-bk-62013-TD); *In re Renaissance Surgical Arts At. Newport Harbor, LLC*, (Bankr. C.D.
 5 Cal. Case No. 8:11-bk-19749-SC); *In re Huntington Pointe Surgery Center LLC*, (Bankr. C.D. Cal.
 6 Case No. 8:08-BK-14237-RK); *In re Pacifica of the Valley Corp.*, (Bankr. C.D. Cal. Case No. 1:09-
 7 bk-11678-MT); *In re Glen Robert Justice & Jane Grace Justice*, (Bankr. C.D. Cal. Case No. 8:11-
 8 bk-26252-CB); *In re OC Neonatal Group Inc.*, (Bankr. C.D. Cal. Case No. 8:11-bk-25202-MW); *In*
 9 *re Mendocino Coast Health Care District*, (Bankr. N.D. Cal. Case No. 1:12-bk-12753-AJ); *In re*
 10 *Florence Hospital at Anthem*, (Bankr. D. Ariz. Case Nos. 13-03201-BMW and Case No. 2:18-bk-
 11 04537-BMW); *In re Gilbert Hospital, LLC*, (Bankr. D. Ariz. Case No.14-bk 01451-MCW and Case
 12 No. 4:18-bk-04557-BMW); *In Re Primecare Nevada Inc. dba Nye Regional Medical Center*, (Bankr.
 13 D. Nev. Case No.: 13-BK20348); *In re Community Healthcare of Douglas, Inc.*, (Bankr. D. Ariz.
 14 Case No. 4:13-BK01738-BMW); *see also 3 Collier on Bankruptcy*, ¶ 333.05[1], at 333-01 (15th ed.
 15 rev. 2006) (“If the healthcare business is large or complicated, the ombudsman could be expected to
 16 retain professionals to assist in the discharge of the ombudsman’s duties.”).

17 A patient care ombudsman’s duties differ substantially from the interests of any of
 18 the parties in interest, such as the debtor or a committee of creditors. Consequently, a patient care
 19 ombudsman should not be required to rely on counsel for the Debtor or a committee for legal advice
 20 or legal services in carrying out the duties of ombudsman. Thus, in an appropriate case, it is important
 21 that a patient care ombudsman have separate legal counsel to advise on the duties under § 333 and to
 22 assist in presentations to the Court pursuant to the statutory requirements. *See Synergy*, 433 B.R. at
 23 319; *see also, In re Renaissance Hosp.-- Grand Prairie, Inc.*, 399 B.R. 442, 448 (Bankr. N.D. Tex.
 24 2008) (“As it is doubtful that every suitable candidate for the ombudsman role will possess not only
 25 the qualifications necessary to ‘monitor the quality of patient care’ but also the expertise necessary
 26 to prepare legal documents and appear in court, it seems clear that Congress must have anticipated
 27 that an ombudsman would, on occasion, have to have the assistance of counsel.”)

28 **D. Dr. Stacy’s Disinterestedness And Compensation.**

1 **Disinterestedness.** As set forth in the annexed Declaration of Dr. Stacy, to the best of his
2 knowledge, other than as set forth therein, Dr. Stacy does not hold or represent any interest adverse
3 to the Debtor or the Debtor's estate, and Dr. Stacy is a "disinterested person" as that term is defined
4 in Section 101(14) of the Bankruptcy Code. Also, other than as set forth in the annexed Declaration
5 of Dr. Stacy, to the best of his knowledge, Dr. Stacy has no prior connection with the Debtor or its
6 estate, the UST or any person employed by the UST.

7 Dr. Stacy has a distance business relationship with Alvarado Medical Center ("AMC"). AMC
8 is a hospital that refers patients to, and receives patients from, the Debtor in the San Diego area. One
9 of his companies, TripleAim Healthcare, PC ("TripleAim"), contracts with AMC to provide Critical
10 Care Services/Intensivist medical care in the Intensive Care Unit. TripleAim and Dr. Stacy do not
11 have a relationship with the Debtor or contract to provide medical services in any manner with the
12 Debtor or in a way that may be prejudicial to the Debtor.

13 Dr. Stacy is not a creditor, an equity security holder or an insider of the Debtor.

14 Dr. Stacy is not and was not an investment banker for any outstanding security of the Debtor.
15 Dr. Stacy has not been within three (3) years before the petition date an investment banker for a
16 security of the Debtor, or an attorney for such an investment banker in connection with the offer, sale
17 or issuance of any security of the Debtor.

18 Dr. Stacy was not, within two (2) years before the petition date, a director, officer or employee
19 of the Debtor or of any investment banker for any security of the Debtor.

20 Dr. Stacy is not a relative or an employee of the UST or a Bankruptcy Judge.

21 Dr. Stacy has not shared or agreed to share his compensation for assisting the PCO with any
22 other person or entity.

23 As set forth in the annexed Declaration of Dr. Stacy, to the best of his knowledge, Dr. Stacy
24 does not hold or represent any interest materially adverse to the interest of the Debtor's estate or of
25 any class of creditors or equity security holders, by reason of any direct or indirect relationship to,
26 connection with, or interest in, the Debtor or an investment banker for any security of the Debtor, or
27 for any other reason.
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1 **Compensation.** Dr. Stacy will seek Court authority to be paid from the Debtor's estate for
2 any and all fees incurred and expenses advanced by Dr. Stacy from and after September 16, 2022.
3 Dr. Stacy recognizes that all payments of its earned fees and expenses will be subject to approval of
4 the Court.

5 Dr. Stacy will bill his time for his assistance of the PCO on an hourly billing basis which is
6 \$325 per hour. Dr. Stacy will provide monthly billing statements to the PCO that will set forth the
7 amount of fees incurred, and expenses advanced by Dr. Stacy during the previous month. Dr. Stacy
8 will seek reimbursement of expenses in accordance with the rates set forth in the guidelines
9 previously promulgated by the UST.

10 Dr. Stacy has been explained and understands the provisions of 11 U.S.C. Section 330 which
11 require, among other things, Court approval of his employment by the PCO as a consultant and of all
12 legal fees and reimbursement of expenses that he will receive from the Debtor and the Debtor's estate.

13 In accordance with Local Bankruptcy Rule 9034-1, the PCO has submitted this Application to
14 the Office of the United States Trustee for a Statement of Position.

15 Based on all of the foregoing, the PCO believes that his employment of Dr. Stacy upon the
16 terms and conditions set forth above is fair, reasonable and warranted under the facts and
17 circumstances of the Debtor's case.

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1 **WHEREFORE**, the PCO respectfully requests that the Court enter an order (1) approving
2 this Application, (2) approving the PCO's employment of Dr. Stacy as his consultant, at the expense
3 of the Debtor's estate, and upon the terms and conditions set forth above, effective as of September
4 16, 2022, and (3) affording such other and further relief as is warranted under the
5 circumstances.

6
7 Dated: September 23, 2022

JACOB NATHAN RUBIN, PATIENT CARE
OMBUDSMAN.

8 
9 _____
10 Jacob Nathan Rubin, Patient Care Ombudsman

11 Submitted by:

12 LEVENE, NEALE, BENDER, YOO & GOLUBCHIK L.L.P.

13
14 By: /s/ David B. Golubchik
15 DAVID B. GOLUBCHIK
16 KRIKOR J. MESHEFEJIAN
17 Proposed Attorneys for Patient Care Ombudsman
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DECLARATION OF DR. TIM STACY DNP, ACNP-BC

I, DR. TIM STACY DNP, ACNP-BC, hereby declare as follows:

1. I am over 18 years of age. I have personal knowledge of the facts set forth below and, if called to testify, would and could competently testify thereto.

2. I make this Declaration in support of the Application to which this Declaration is attached. Unless otherwise stated, all capitalized terms herein have the same meaning as in the Application.

3. Jacob Nathan Rubin, MD, FACC has been appointed to serve as the Patient Care Ombudsman (“PCO”) in the Debtor’s case. The PCO is an individual, and not a business with employees. With less than sixty (60) days to submit his initial report to the Court as to the quality of patient care provided to the thousands of patients at the eleven (11) clinics, two (2) pharmacies, and six (6) mobile units where the Debtor services patients, the PCO immediately requires my to adequately, efficiently and timely discharge his duties and submit his reports to the Court. In addition to reviewing a variety of hospital and patient records, reports and related information, the PCO intends to, among other things, tour the Debtor’s numerous locations and speak to the key senior management members, Board of Directors and/or executive committees and certain patients and employees. In short, there is a lot of tasks for the PCO to perform in a short span of time and immediate assistance is needed from Dr. Stacy to fulfill such tasks. I will be assisting the PCO in such duties.

4. Attached hereto as **Exhibit 1** is my curriculum vitae. As set forth therein, I am highly qualified to assist and facilitate the PCO in timely and competently carrying out his duties, and will streamline the PCO’s ability to focus on patient care issues. As set forth in my curriculum vitae, I am a licensed Doctor of Clinical practice, a Board-certified Acute Care Nurse Practitioner, and also a clinical professor at UCLA. Based on my qualifications and experience, my participation and engagement will significantly enhance the PCO’s ability and success in focusing and addressing patient care issues at the Debtor’s facilities.

1 5. **Disinterestedness.** To the best of my knowledge, I do not hold or represent any interest
2 adverse to the Debtor or the Debtor's estate. Also, to the best of my knowledge, I have no prior
3 connection with the Debtor or its estate, the UST or any person employed by the UST.

4 6. I have a distance business relationship with Alvarado Medical Center ("AMC"). AMC
5 is a hospital that refers patients to, and receives patients from, the Debtor in the San Diego area. One
6 of his companies, TripleAim Healthcare, PC ("TripleAim"), contracts with AMC to provide Critical
7 Care Services/Intensivist medical care in the Intensive Care Unit. TripleAim and I do not have a
8 relationship with the Debtor or contract to provide medical services in any manner with the Debtor
9 or in a way that may be prejudicial to the Debtor.

10 7. I am not a creditor, an equity security holder or an insider of the Debtor.

11 8. I am not and was not an investment banker for any outstanding security of the Debtor.
12 I have not been within three (3) years before the petition date an investment banker for a security of
13 the Debtor, or an attorney for such an investment banker in connection with the offer, sale or issuance
14 of any security of the Debtor.

15 9. I was not, within two (2) years before the petition date, a director, officer or employee
16 of the Debtor or of any investment banker for any security of the Debtor.

17 10. I am not a relative or an employee of the UST or a Bankruptcy Judge.

18 11. I have not shared or agreed to share my compensation for assisting the PCO with any
19 other person or entity.

20 12. To the best of my knowledge, I do not hold or represent any interest materially adverse
21 to the interest of the Debtor's estate or of any class of creditors or equity security holders, by reason
22 of any direct or indirect relationship to, connection with, or interest in, the Debtor or an investment
23 banker for any security of the Debtor, or for any other reason.

24 13. **Compensation.** I will seek Court authority to be paid from the Debtor's estate for any
25 and all fees incurred and expenses advanced by me from and after September 16, 2022. I recognize
26 that all payments of its earned fees and expenses will be subject to approval of the Court.

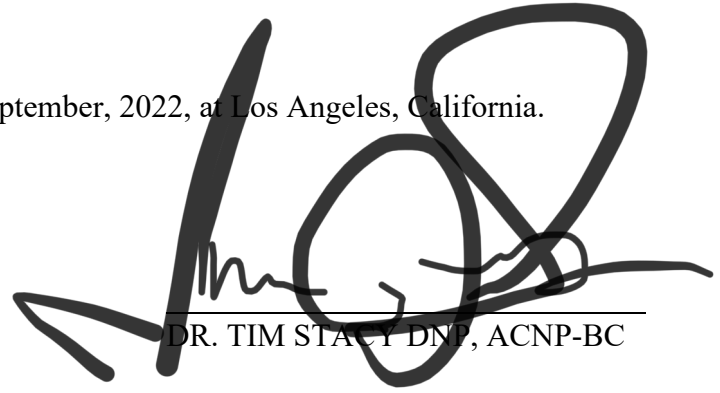
27 14. I will bill my time for my assistance of the PCO on an hourly billing basis which is
28 \$325 per hour. I will provide monthly billing statements to the PCO that will set forth the amount of

1 fees incurred and expenses advanced by me during the previous month. I will seek reimbursement of
2 expenses in accordance with the rates set forth in the guidelines previously promulgated by the UST.

3 15. I have been explained and understand the provisions of 11 U.S.C. Section 330 which
4 require, among other things, Court approval of my employment by the PCO as a consultant and of
5 all legal fees and reimbursement of expenses that he will receive from the Debtors and the Debtors'
6 estates.

7 Executed on this 23rd day of September, 2022, at Los Angeles, California.

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DR. TIM STACY DNP, ACNP-BC

EXHIBIT “1”

Dr. Timothy J Stacy ACNP, DNP

Associate Chief of Hospital and Critical Care Medicine

Doctor of Clinical Practice

Acute Care Nurse Practitioner- Board Certified

Associate Clinical Professor UCLA

Chair Interdisciplinary Committee

Director Vascular Access and Point of Care Ultrasound

Medical Staff Voting Member

UCLA Associate Clinical Professor Hospital and Critical Care Medicine/Visiting Lecturer

5268 Huckleberry Oak Street

Simi Valley, CA. 93063

Home (805) 578-4569/ Cell (805) 208-0434

tstacy@g.ucla.edu

EDUCATION:

2012-2014	California State University, Fullerton Fullerton, California <u>Doctor of Clinical Practice</u>	<i>DNP</i>
2002-2004	<u>University of California Los Angeles</u> Los Angeles, California <u>Master of Science</u> <u>Acute Care Nurse Practitioner Specialty</u>	<i>MSN</i>
2000-2002	<u>University of California Los Angeles</u> Los Angeles, California <u>Bachelor of Science</u>	<i>BS</i>
1986-1990	<u>University of Michigan, Ann Arbor</u> Ann Arbor, Michigan <u>Bachelor of Science</u> <u>Bio-Chemistry</u>	<i>BS</i>

PROCEDURES COMPETENT TO PERFORM AND PROCTOR (Approximate Number Performed over a 16-year period due date, 8/2020) (Verified by Medical Staff and Chief of Staff)

- 1. Endotracheal Intubation Direct Laparoscopy/Glide Scope (232)**
- 2. Emergency Rescue Tracheostomy (Utilizing Ciaglia Blue Rhino G2 kit) (8)**
- 3. Hemodialysis Catheter placement IJ and Femoral using (US Guided) (124)**

4. Central Line/TLC/Cortis (US Guided) (200+)
5. Butterfly US IVC fluid status assessment/ FAST EXAM/Solid Organ pathology Identification.
6. Lumbar Puncture (100+)
7. Arthrocentesis with injection (100+)
8. Paracentesis (80+)
9. Thoracentesis (50+)
10. Wound Debridement (100+)
11. Difficult Foley Catheter Placement with progressive dilation (20+)
12. Code Blue Lead Provider (no medical staff record keeping; numerous)
13. Incision and Drainage (no record, yet numerous)
14. Laceration Repair (Numerous)
15. Joint Injections via US (50+)
16. Mechanical Ventilator Management (Daily)
17. Chest Tube and Pigtail catheter Placement (Chest) (50+)
18. PICC/MIDLINES Placement US Guidance (3000+)
19. Synchronized Electrocardioversion unstable or refractory arrhythmia
20. Moderate Sedation Certified
21. Skin Biopsy and Small Mass removal
22. Other Bedside Procedures required during Hospital/Intensivist Management

Professional Certificates

ACNP Board Certification 2004003450-28

ACLS (Advanced Cardiac Life Support)

ENLS (Emergency Neurologic Life Support) Certified

PHN (Public Health Nurse State of California) License Number **66379**

Nurse Practitioner License Number **15005**

Registered Nurse License Number **527863**

DEA Schedule II-V (on Request)

PATIENT CARE OMBUDSMAN APPOINTMENTS US ATTORNEY/ BANKRUPTCY DIVISION

2018-Discharged

Verity Health

Primary Consultant to PCO

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION

Lead Case No.: 2:18-bk-20151-ER

Largest Healthcare Bankruptcy in California history, second largest in US history. 2000 beds across six hospitals. Twenty-six healthcare clinics, hemodialysis center, two urgent care centers geographically located in California from San Francisco to Temecula.

2019- Discharged

Schaefer Ambulance Service, Inc.

Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA LOS ANGELES DIVISION

Case No. 2:19-bk-11809-NB

Oldest ambulance service company in Los Angeles history. Charged with protecting patients and patient medical records applying HIPPA and HITECH regulations.

2019- Discharged

PHILMAR CARE, LLC

Primary Consultant to PCO

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA RIVERSIDE DIVISION

Case No. 6:18-bk-20286-WJ

Large, one hundred and sixty bed skilled nursing and sub-acute facility.

2019- Discharged

Littlefield Physical Therapy, INC

Patient Care Ombudsman

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA RIVERSIDE DIVISION

Case No. 6:18-bk-16636-MW

Large privately-owned physical therapy healthcare business who provides care to high risk children and children with disabilities.

2019- Discharged

Elizabeth Bijou
Primary Consultant to PCO

Case No. 1:19-BK-11278-MB

Individual owns and operates two homes that care for six residents per home.

2019- Discharged

Medcoast Medservice, INC
Patient Care Ombudsman

***UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT
OF CALIFORNIA LOS ANGELES DIVISION***

Case No. 2:19-bk-19334-BB

Ambulance Company Chapter 11 PCO

2019- Discharged

M SHAH DENTAL INC.
Patient Care Ombudsman

***UNITED STATES BANKRUPTCY COURT CENTRAL
DISTRICT OF CALIFORNIA SAN FERNANDO DIVISION***

Case No. 1:19-bk-12322-MT

Dental Office Bankruptcy

2019-Current

DELTA HOSPICE OF CALIFORNIA, INC.
Patient Care Ombudsman

***UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
RIVERSIDE DIVISION***

Case No. 6:19-bk-19750-SC

2019- Discharged

NULIFE MULHLLAND LLC
Patient Care Ombudsman

***UNITED STATES BANKRUPTCY COURT CENTRAL
DISTRICT OF CALIFORNIA SAN FERNANDO DIVISION***

Case No. 1:19-bk-12407-mb

2020-Current

Novellas/Community Provider Enrichment Services
Patient Care Ombudsman

LEAD CASE NO. 9:20-bk-10554-DS

***UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT
OF CALIFORNIA LOS ANGELES DIVISION***

Jointly administered with:
Case No. 9:20-bk-10553-DS and
Case No. 9:20-bk-10994-DS

PROFESSIONAL EXPERIENCE

2005-current

Sherman Oaks Hospital **Sherman Oaks, CA**
Associate Chief Hospitalist/Critical Care Medicine

Responsible for duties that are accustomed to Hospital and Critical Care Medicine including daily care of patients, Central Line Placement, Hemodialysis Catheter Insertion, Intubation, Incision and Drainage, Arthrocentesis, Paracentesis, Thoracentesis, Lumbar Puncture, Wound Debridement, Chest tube placement and other procedures done at the bedside.
Perform Point of Care Ultrasonography for procedures and assessment of patients. Established as a Hospitalist and Critical Care Provider with exceptional skills. Expert at clinical documentation. Director of Vascular Access and Chair of the Interdisciplinary Committee. Sherman Oaks Hospital Medicine Clinical Residency Director for UCLA and California State University.

2004-2006

Mission Community Hospital **Panorama City, CA**
Hospitalist/Critical Care Medicine

Started and developed the role of the Nurse Practitioner Hospitalist at Mission Community Hospital. Medicare length of stay was down 1.7 days and Medical TAR approval rates increased from 68% to 87% due to the NP Hospitalist Clinical Documentation Program.

2005-current

UCLA School of Nursing **Los Angeles, CA**
Associate Clinical Professor
Director of UCLA ACNP Hospitalist Residency Program

2004-2007

Kaiser Permanente **Woodland Hills, CA**
Emergency Medicine

2002-2004

Tarzana Regional Medical Center Tarzana, CA
Emergency Department Director/Manager

Developed standardized nursing triage protocols. Developed and organized physician trained ED nurse education program. Decreased ED length of stay, increased efficiencies, and maintained HPPD budget for 1.5 years running. Earned Tenet growth pillar award in 1/2004. Decreased lab and x-ray TAT. Decreased ED closure by 65% over two years while maintaining a 7% increase in volume. Increased customer satisfaction scores from 65% to 85%. Developed systems to decrease door to perfusion times from 257 median minutes to 77 median minutes.

1998-2003

UCLA Medical Center Los Angeles, CA
ER/Trauma

Earned distinguished UC Humanitarian and Trauma awards 2/2000.

1995-2001

Kaiser Permanente Woodland Hills, CA
Emergency Room/Intensive Care Unit

1996-1997

Schaffer Air Ambulance Van Nuys, CA
Flight Nurse

Awards

UCLA Medical Center Humanitarian Award 2002

NCAA Collegiate All-Big Ten Team (Baseball) 1987-1990

University and Academic Service

2003-Present	Suture Lab and Central Line Placement Instructor UCLA School of Nursing Acute Care Nurse Practitioner Program/Geffen School of Medicine
2004	UCLA Associate Clinical Professor Hospitalist/Critical Residency

Publications

- # 2013 Importance of EHR in Healthcare, *Journal of Health and Medical Informatics* Washington and Stacy, J Health Med Informatics 2013, 4:3
<http://dx.doi.org/10.4172/t2157-7420.1000e106>
- 2014 Impact of EHR and Clinical Documentation Specialist on Case Mix Index Retrospective Study *Journal of Health and Medical Informatics*

OTHER

Chosen to participate in a study cohort to sit with physicians taking the **United States Medical Licensing Examination (USMLE)** Step 3 Board exam to assess the clinical proficiency of Nurse Practitioners with Clinical Doctorate degrees. **Scored in the 95 percentile for year 2016.**

****REFERENCES AVAILABLE UPON REQUEST***

EXHIBIT “2”

CSD 1001A [07/01/18]
Name, Address, Telephone No. & I.D. No.

David B. Golubchik (SBN 185520)
Krikor J. Meshefejian (SBN 255030)
Levene, Neale, Bender, Yoo & Golubchik L.L.P.
2818 La Cienega Avenue
Los Angeles, CA 90034
Tel: (310) 229-1234

UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA
325 West F Street, San Diego, California 92101-6991

In Re

BORREGO COMMUNITY HEALTH FOUNDATION

Debtor.

BANKRUPTCY NO. 22-02384-LT11

Date of Hearing: N/A

Time of Hearing: N/A

Name of Judge: Hon.Laura S. Taylor

ORDER ON

**APPLICATION OF PATIENT CARE OMBUDSMAN TO EMPLOY DR. TIM STACY DNP, ACNP-BC AS
CONSULTANT EFFECTIVE AS OF SEPTEMBER 16, 2022**

The court orders as set forth on the continuation pages attached and numbered 2 through 2 with exhibits, if any, for
a total of 2 pages. Motion/Application Docket Entry No. ____.

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DATED:

Judge, United States Bankruptcy Court

ORDER ON APPLICATION OF PATIENT CARE OMBUDSMAN TO EMPLOY DR. TIM STACY DNP, ACNP-BC AS CONSULTANT EFFECTIVE AS OF SEPTEMBER 16, 2022

DEBTOR: BORREGO COMMUNITY HEALTH FOUNDATION

CASE NO: 2:22-02384-LT11

On September 16, 2022, the Office of the United States Trustee (the "UST") filed its "Notice Of Appointment Of A Patient Care Ombudsman" [Dkt. 25], pursuant to which the UST appointed Jacob Nathan Rubin, MD, FACC (the "PCO"), to serve as the Patient Care Ombudsman (the "PCO") in the above-captioned bankruptcy case. Thereafter, the PCO filed that certain "Application to Employ Dr. Tim Stacy DNP, ACNP-BC as Counsultant Effective September 16, 2022" (the "Application").

Having considered the Application and all other pleadings and documents filed by the PCO in support of the Application, notice of the Application having been proper, having found that Dr. Tim Stacy DNP, ACNP-BC is disinterested and does not hold or represent any interest adverse to the estate, with good cause appearing, HEREBY ORDERS as follows:

1. The Application is granted, and the PCO's employment of Dr. Tim Stacy DNP, ACNP-BC as the PCO's consultant, effective September 16, 2022, is approved upon the terms and conditions set forth in the Application.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 2818 La Cienega Avenue, Los Angeles, CA 90034.

A true and correct copy of the foregoing document entitled **APPLICATION OF PATIENT CARE OMBUDSMAN TO EMPLOY DR. TIM STACY DNP, ACNP-BC AS CONSULTANT EFFECTIVE AS OF SEPTEMBER 16, 2022; DECLARATION IN SUPPORT THEREOF** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **September 28, 2022**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Christine E. Baur christine@baurbklaw.com, admin@baurbklaw.com
- Anthony Dutra adutra@hansonbridgett.com, SSingh@hansonbridgett.com
- Michael I. Gottfried mgottfried@elkinskalt.com, rzur@elkinskalt.com, cavila@elkinskalt.com, myuen@elkinskalt.com, 1648609420@filings.docketbird.com
- Bernard M. Hansen bernardmhansen@sbcglobal.net
- Dean T. Kirby dkirby@kirbymac.com, jwilson@kirbymac.com; rrobinson@kirbymac.com; Jacquelyn@ecf.inforuptcy.com
- Tania M. Moyron tania.moyron@dentons.com, derry.kalve@dentons.com; DOCKET.GENERAL.LIT.LOS@dentons.com
- David Ortiz david.a.ortiz@usdoj.gov, USTP.REGION15@USDOJ.GOV; tiffany.l.carroll@usdoj.gov; abram.s.feuerstein@usdoj.gov
- Michael B. Reynolds mreynolds@swlaw.com, kcollins@swlaw.com
- Andrew B. Still astill@swlaw.com, kcollins@swlaw.com
- Kelly Ann Mai Khanh Tran kelly@smalllawcorp.com, stefanny@smalllawcorp.com
- United States Trustee ustp.region15@usdoj.gov

2. SERVED BY UNITED STATES MAIL: On **September 28, 2022**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **September 28, 2022**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

None.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

September 28, 2022

Stephanie Reichert

/s/ Stephanie Reichert

Date

Type Name

Signature

Borrego Community Health Foundation
File No. 9832
Debtor, OUST, Secureds, Top 20

Debtor

Borrego Community Health Foundation
587 Palm Canyon Dr., Suite 208
Borrego Springs, CA 92004

Office of the U.S. Trustee
Attn: David Ortiz
880 Front Street, Suite 3230
San Diego, CA 92101

Secured Creditors

Ally Auto
PO Box 78369
Phoenix, AZ 85062-8369

Ally Auto
6716 Grade Lane
Building No 9, Suite 910
Louisville, KY 40213

Enterprise Fleet Management
6330 Marindustry Dr, Ste 210
San Diego, CA 92121

First American Equipment Finance
211 High Point Drive
Victor, NY 14564

Ricoh USA
PO Box 31001-0850
Pasadena, CA 91110

Ricoh USA
70 Valley Stream Pkwy
Malvern, PA 19355

VAR Technology Finance
2330 Interstate 30
Mesquite, TX 75150

Wells Fargo Dealer Services
420 Montgomery Street
San Francisco, CA 94104

Top 20 Unsecured Creditors

Premier Healthcare Management
124 West Main Street, Suite 120
El Cajon, CA 92020

McKesson Corporation
6555 North State Highway 161
Irving, TX 75039

Internal Revenue Service
Insolvency Operations Unit
P.O. Box 7346
Philadelphia, PA 19101-7346

American Express
200 Vesey Street
New York, NY 10285

Greenway Health, LLC
4301 West Boy Scout Blvd.
Suite 800
Tampa, FL 33607

We Klean Inc.
427 S. Citrus Avenue
Escondido, CA 92027

Mustafa Bilal
1210 S. Brookhurst Street
Anaheim, CA 92804

Cardinal Health
7000 Cardinal Place
Dublin, OH 43017

Rajesh Shah
115 N. McKinley Street, Suite 105
Corona, CA 92879

Oz Group Inc d/b/a Customer
Contact Services
14525 Highway 7, Suite 315
Minnetonka, MN 55345

Mohamed Dowaidari
1635 N. Mountain Avenue
Upland, CA 91785

Mehrnaz Irani
Vista Village Family Dentistry
950 Civic Center Dr, Suite #B
Vista, CA 92083

Ehab Samaan
Corona Family Dental Group
1358 W. 6th Street, Suite 101
Corona, CA 92882

Gallagher Benefit Services, Inc
500 N. Brand Blvd, Suite 100
Glendale, CA 91203

Arthur Santos
Smile Dental
12110 Woodside Ave
Lakeside, CA 92040

Vitamin D Public Relations, LLC
5900 Balcones Dr., Suite 100
Austin, TX 78731-4298

Pourshirazi & Youssefi Dental
Corporation
31569 Canyon Estates Dr, Suite 120
Lake Elsinore, CA 92532

Tejas Modi
Heritage Plaza Dental
28039 Scott Road, Suite 1
Murrieta, CA 92563

MPower TelePacific
303 Colorado St., Suite 2075
Austin, TX 78701

California Deept of Health Care Services
Health Care Delivery Systems
P.O. Box 997413, MS 0010
Sacramento, CA 95899