

**EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

BERWICK CLINIC COMPANY, LLC

Debtor.

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No. 22-45589-lsg  
Chapter 11-Sub Chapter V  
Hon Lisa S. Gretchko

**PATIENT CARE OMBUDSMAN'S THIRD REPORT**

Deborah L. Fish, patient care ombudsman, appointed by order dated July 25, 2022 (Docket #11); and in accordance with Section 333 of Title 11 of the United States Bankruptcy Code (the "Code"), submits this report on the status of the quality of patient care in the Chapter 11 Sub Chapter V case of Berwick Clinic Company, LLC (the "Debtor"). Since my last written report on August 5, 2022 (dkt #31), I provided two oral reports to the court. The first was presented on August 17, 2022 and the second on September 13, 2022. This written report covers the period from September 14, 2022 to September 26, 2022. It is based on with several staff members, telephone conferences and email communications with Priyam Sharma CEO, Gina Dipippa, chief of clinic operations, former medical staff, current medical staff, non-medical staff members, former patients, members of the Berwick Community and discussions with counsel for the Debtor.

## **INTRODUCTION**

The Debtor filed a petition under Chapter 11 of the Code on July 18, 2022. The Debtor is health care entity currently operating a Vascular Clinic and providing limited transitional services to its former patients.

## **REMAINING CLINIC**

The Debtor has one remaining clinic, the Vascular Clinic, which is staffed by Dr. John Guerriero D.O. and his team. He is providing services at 1918 W. Front St. Berwick, PA. Currently, Dr. Guerriero continues to see and care for his patients. The quality of care for these patients is the same as it was pre-petition. Dr. Guerriero is beginning to transition his patients from the Berwick Clinic Company to his own private practice which he hopes will open on November 1, 2022. Because Dr. Guerriero owns the West Front St. property his patients should have a seamless transition. He is currently advising his patients of the change and scheduling their follow-up appointments for after November 1, 2022.

## **SERVICES TO FORMER PATIENTS**

Dr. Guerriero continues to provide services to the former patients of the Debtors: (i) by contacting patients with pending lab results to provide the results and order follow-up diagnostics, if necessary; and (ii) by filling all non-controlled substance medications for the clinic patients, 18 and older.

Additionally, clinic staff both medical and non-medical continue to provide services; (i) by contacting patients with pending lab results to provide the results and order follow-up diagnostics, if necessary; (ii) by filling all non-controlled substance medications for the clinic patients (Verona Roberts NP); (iii) by handling medical records requests, (iv) providing for home health service and physical therapy; and (iv) by answering general questions.

## **TRANSITION PROTOCOL**

The Debtor filed a draft of its Transition Protocol on Friday September 16, 2022. The Debtor will amend the Protocol on or before October 3, 2022 to address some issues raised, revise assigned personnel, and supplement the section on medical records. It is too early to determine if the downsizing of staff will be sufficient to meet the patient needs. I will report on this possible issue at a later date.

## **MEDICAL RECORDS**

The Debtor maintains an electronic medical record system. Patients can request their Medical Records on-line at the hospital web-site, in person at the Berwick Hospital, or by calling 570-759-5071. Currently, The Debtor advises me that it has a 72 hour turnaround time from request to print for pick-up. There are still some reported issues and the Debtor is responding to those issues. The medical records section of the Transition Protocol will be revised to address concerns raised by the Patient Care Ombudsman.

## **CONCLUSION**

As a result of the clinic closures pursuant to Section 333 (b) (3) of the Bankruptcy Code, the quality of patient care provided to patients of the closed clinics declined significantly or was otherwise materially compromised since the filing. The vascular clinic continues to deliver the same quality of care as it did pre-petition without any interruption in care or of service. I will file additional reports, as necessary, or required under the code. Finally, I will instruct the Debtor to post a copy of this report on the web-site and in plain sight at the clinic locations.

/S/Deborah L. Fish  
Patient Care Ombudsman  
1001 Woodward Avenue  
Suite 850  
Detroit, MI 48226  
313.309.3177  
dfish@allardfishpc.com

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Dated: September 27, 2022  
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