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Ex-Hospital Patients File Lawsuit Over the Status of Health Care Services in New Orleans

By [LESLIE EATON](#)

A group of former patients of New Orleans's shuttered public hospital filed a lawsuit on Thursday in a Louisiana state court, saying that medical care for the poor is still woefully inadequate in the city and asking for a return to the level of services the hospital provided before [Hurricane Katrina](#).

Before the storm, Charity Hospital provided nearly all the basic, specialty and emergency care and mental health services for low-income residents. Louisiana State University, which operated the hospital, did not reopen it after the levees failed and the hospital's basement flooded.

Instead, the state reopened the smaller University Hospital, which has an emergency room for trauma cases, but has many fewer beds and clinics than the larger hospital, known as Big Charity and built in the 1930s.

The plaintiffs, some of whom were born at the hospital, said in the lawsuit, which was filed in New Orleans, that they must travel hundreds of miles for care or incur big bills for treatment that had been free at Charity.

The lawsuit, which has been supported by some local politicians, doctors and law enforcement officials, argues that the university's closing of the hospital was illegal without specific approval from the Legislature.

But Dr. Fred P. Cerise, vice president for health affairs at the university, said the state buildings department had made the decision to close the building.

"We happened to agree with it," Dr. Cerise said, adding that university officials had planned to replace the building well before the storm and is pushing for a new, state-of-the-art hospital.

Lawyers for the plaintiffs, who are seeking class-action status to represent what they estimate are 100,000 uninsured residents in and near New Orleans, said they would ask a judge to require an evaluation of the old building.

But S. Stephen Rosenfeld, a Massachusetts lawyer who is working with local lawyers on the case, said the goal was not so much to reopen the building as to impel the state to develop a plan to restore medical services.

“This is about investing money in a system that works,” Mr. Rosenfeld said.

Dr. Cerise acknowledged that reopening clinics had gone much more slowly than the state had hoped, but he said that by the end of February the university would open three neighborhood clinics, a large clinic in a former department store downtown and a mental health emergency room.