

## Provident patients lacked care, nurse says

By PATRICIA BEHRE

A nurse at Touro Infirmary said Wednesday she has seen dirty, undernourished and neglected patients brought to the hospital from nearby Provident House nursing home.

The state Department of Health and Human Resources Tuesday revoked the license of the home at 1539 Delachaise. Officials of the home said they are appealing that decision. They would not comment Wednesday.

The nurse, who asked not to be identified, said several patients from Provident House were brought to Touro during the past several years.

"Almost every patient I have ever

seen come in to be treated is in such poor condition," she said. "Their skin is broken, they're malnourished, they're dirty. ... I've never seen a patient from there who looks like he's had any kind of adequate care." Another hospital worker, who also asked not to be identified, agreed with the nurse's account.

"We've received people before with dried feces all over them," the nurse said. In some cases, patients' toenails have been left so long that they have curled into their feet, she said.

Asked about the nurse's account, R.K. Banks, an assistant secretary of

DHHR, said, "I don't think it's inconsistent with what my staff has reported."

Banks could not comment on specific cases. But he said his staff reported "an unusually large number of bedsores" and inadequate nail care.

Peggy Resor, Provident House administrator, and two of the home's three owners refused to comment Wednesday except to say that they planned to appeal the state's revocation of their license. Their attorney, whom they would not name, had instructed them not to comment while the matter is pending, they said.

In the revocation order, officials said

there had been 55 deaths among Provident House patients in January, either at the home or after being transferred to hospitals.

Resor disputed that, saying 17 people died in January and 18 others were discharged, some of whom she knows to be alive.

Banks said the state figure came from staff reports. The state also cited other problems at the home, including, "indifference to the welfare of the residents."

Meanwhile, the state has decertified the home to handle patients on Medicaid, an insurance program for the poor administered jointly by the state and

federal government, Banks said. This means that even though the home is appealing the decision, Medicaid patients will be moved. Of the 112 patients at Provident House Tuesday, 63 receive Medicaid, he said.

Banks said his staff also suggested that the federal Health Care Financing Administration decertify the home to care for patients on Medicare, an insurance program for those over 65. He did not know how many patients in the home are on Medicare.

Medicare usually follows state recommendations in such matters, although federal authorities have the

final say on Medicare certification, said Dr. Kenneth C. Schneider, a spokesman at the Health Care Financing Administration's regional office in Dallas.

"If it doesn't meet Medicaid standards it certainly doesn't meet our standards," Schneider said. But he said his office would review the DHHR recommendation. "There is due process," he said.

Banks said his staff is helping to relocate patients at the home. "Our staff is there at this moment," he said Wednesday morning. "We plan to be there on a 24-hour basis until this problem is resolved."

## Developer gets deals from Dome

By ALLAN KATZ

Developer Edward J. DeBartolo and his partners were given permission Wednesday to tear down the 300-foot-long bridge connecting the Louisiana Superdome and the Hyatt Regency Hotel to make way for a \$350 million retail mall, hotel and office tower.

The Dome Stadium Commission unanimously granted permission for the demolition. DeBartolo plans a three-level mall, hotel and office building between the Superdome and the Hyatt Regency.

Richard Sokolov, representing DeBartolo, said the development will be known as Poydras Square. Sokolov also won permission for a 3,500-car garage on a 1,500-square-foot tract behind the Superdome. The tract, owned by the Superdome, is between Girod and Julia streets.

The actions by the Dome Stadium Commission must still be approved by the governor and the Legislature.

Sokolov and Ken Fonte, an assistant attorney general who acted as legal counsel for the commission, described the agreement as a major step toward construction of Poydras Square.

"This is a big step for us in our land assembly," said Sokolov. "We are still negotiating with the city and the U.S. Post Office to obtain additional parcels of land and permission to build, but today's action was a key step."

DeBartolo, of Youngstown, Ohio, acquired 3.8 acres between the stadium and the hotel in a land swap with the city.

Sokolov said Poydras Square has already signed up two major department stores and is negotiating with a third. He said the names of the stores will be announced in mid-April.

He also said the Poydras Square construction is expected to start in early 1985, with the retail phase slated to be completed in mid-1987 and the rest to follow.

The commission reluctantly granted the right to demolish the 120-foot-wide, 17-foot-high bridge. Members of the commission felt that the concessions offered by Poydras Square were barely adequate.

In exchange for the right to demolish the bridge, Poydras Square agreed to build four new ramps for the Superdome at Girod and Poydras streets. In all, the Superdome gave up 90,000 square feet of right of way at the bridge and ground levels.

Commission members wondered whether they were getting a fair deal.

Wilson Shoughrue Jr., a commission member, said, "I'm not sure we're getting a fair trade in this instance. It seems barely adequate to me."

But Shoughrue and other commission members concluded that the overall economic benefit of Poydras Square to the community and the Superdome is more important than whether four small ramps will compensate for the demolition of the bridge.

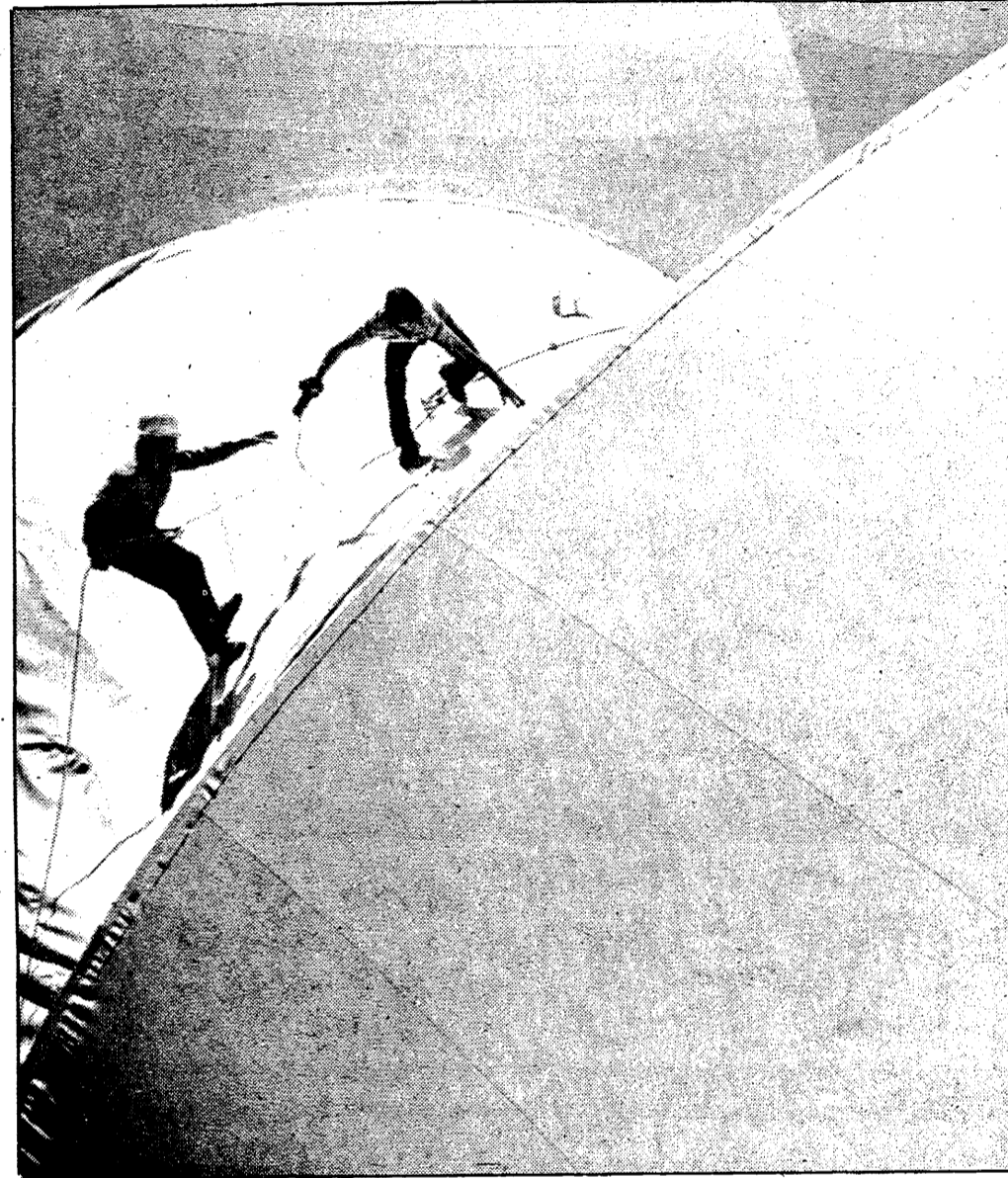
Kent McWilliams, chairman of the commission, said, "My great concern is that I don't want people 99 years from now saying that a bunch of fools gave the Superdome away. However, I feel confident that Poydras Square is going to have such a dynamic impact on the New Orleans economy that we cannot possibly stand in its way."

Sokolov said that within the enclosed shopping mall, a 40-foot-wide main corridor, where the bridge now stands, will connect the Hyatt Regency Hotel, Poydras Square and the Superdome. Sokolov said the corridor will be lined by shops.

"We'll provide security and all the amenities in our enclosed corridor," said Sokolov. "It will be a great addition to the City of New Orleans."

For the garage site, Poydras Square agreed to a 99-year lease, with the option to purchase the land in 2083.

Poydras Square will pay the Superdome \$60,000 a year when construction begins for the garage in 1985, and the annual rent will rise to \$400,000 after six years, with later increases tied to the consumer price index.



FINISHING TOUCHES — Pat Harrall, left, and Tom Peters apply finishing touches to the vinyl-coated polyester roof of the American Electric Energy Exhibit at the world's fair site Wednesday. The fair will open May 12.

—Staff photo by Ellis Lucia

## Beverly Playhouse Inc. to file for bankruptcy, attorney says

By LISA MARTIN

Capital bureau  
Beverly Playhouse Inc. is broke and will file for bankruptcy this week, its attorney said Wednesday.

The corporation, which operated the Beverly Dinner Playhouse in Jefferson, will file under Chapter 7 of the Federal Bankruptcy Act, said attorney John Holahan.

Kenner Mayor Aaron Broussard said the corporation's situation won't affect the city's plans for a riverboat theater. He said he expects a new Beverly corporation to stage productions on the boat and two barges.

A fire on July 7, 1983, destroyed the 60-year-old villa that housed the theater. Beverly President Lori Taylor and Broussard announced in September the theater would reopen on a riverboat and two barges anchored in the Mississippi River at Kenner.

The theater agreed to pay the city of Kenner \$300,000 for a half-share in the riverboat, the Robert E. Lee, and the barges, and the first production would be staged before the end of 1983, Broussard and Taylor said. However, no formal contract was signed, they said.

Broussard said Wednesday no production would be staged before the world's fair opens in New Orleans in May.

"We hope something can be put on before the end of the fair," he said.

Taylor could not be reached for comment Wednesday.

Broussard said he knew early in his negotiations with Taylor that the Beverly's ownership would change, and the possibility of bankruptcy proceedings had been mentioned.

"I was told a new group of investors was coming in," he said. "Lori Taylor

and her husband (Dr. Steve Taylor) were the only investors mentioned by name, but I kind of assumed other potential investors were being contacted," he said.

Kenner bought the boat, a former Biloxi, Miss., disco, for \$200,000 in October 1983, and it would be an asset to the city regardless of the Beverly Theatre's plans, Broussard said. "We thought we had a good deal even before the possibility of the Beverly using it came up," he said.

Broussard said some renovation has been done aboard the Robert E. Lee, but neither of the barges needed for theatrical productions have been bought.

Under Chapter 7 a company is dissolved and its creditors divide its

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## 1978 ordinance may bar lights at Fair Grounds

By FRANK DONZE

Residents of the neighborhood around the Fair Grounds have found a little-known, 6-year-old city zoning ordinance that they say bars the race-track from using its \$1 million lighting system.

The 1978 ordinance prohibits "serious annoyance" from "light or glare or other nuisances" resulting from development at the Fair Grounds.

"I think every time they (Fair Grounds officials) flip the switch, they're violating the law," said Councilman Mike Early, whose district includes the area.

But Louie Roussel III, general counsel for the Fair Grounds Corp., said Wednesday he believes the wording in the ordinance is vague and does not prohibit track officials from using the lighting system, which was installed in November.

"I think it (the law) has no effect on us," Roussel said. "I don't think it will hold up. It just makes me laugh."

The council passed the ordinance in an effort to set guidelines if the track wanted to expand into the surrounding neighborhood. The council action stemmed from a dispute between the track and the neighborhood over a plan by the Fair Grounds to place a stable within three feet of homes.

Fair Grounds officials caused a furor when they installed the new lights, making night racing possible. The lights have been used almost every day at the Fair Grounds for the 10th race and for an 11th race, which was added this year on a regular basis.

Racing begins at 12:45 p.m. and usually lasts until 5:30 p.m. during the 101-day Fair Grounds season, which begins on Thanksgiving Day and ends in April.

On Nov. 27, Fair Grounds officials moved the first race to 4:15 p.m. in what track president Joseph Dorignac called a one-day experiment.

Fair Grounds officials have said they are not considering a permanent night racing schedule. However, Roussel said last month that track officials would like to start the first race around 4 p.m. on some Fridays and Sundays to give working people a chance to come to the track and to avoid conflicts with Saints football games.

Residents of the Fair Grounds neighborhood said the throngs that night racing would bring would worsen crime, litter and parking problems.

In a letter delivered to track and city officials Wednesday, members of the Faubourg St. John Neighborhood Association cited the 1978 ordinance, which says development at the Fair Grounds "shall not cause serious annoyance or injury to occupants of adjoining premises by reason of the emission of odor, fumes or gases, dust, smoke, noise or vibration, light or glare or other nuisances."

Attorney Al Bordelon, chairman of the association's legal committee, said

"the language in the ordinance is clear."

"The law says the track shall not cause serious annoyances and those lights definitely constitute a serious annoyance."

Bordelon said the neighborhood group formed a legal committee to examine all ordinances that govern activities at the track "after this night racing problem reared its head." He said that committee discovered the ordinance.

In the letter, the association asked Evelyn Pugh, director of the city's Department of Safety and Permits, to "take all necessary steps to enforce this ordinance" by preventing the track from using the lights. The department is responsible for enforcing zoning laws.

Pugh said she received the letter Wednesday, but declined comment until she could review it.

Bordelon said a copy of the letter will be delivered to Dorignac, asking him to begin complying with the law immediately.

The City Council last month asked the City Planning Commission to hold a public hearing to discuss legislation to regulate or ban night racing. The hearing is scheduled for March 21.

Early and Bordelon said they still intend to pursue legislation that would ban night racing.

## Transit will lose U.S. money

By PAUL ATKINSON

West Bank bureau  
Transit operators in Orleans, Jefferson and St. Bernard parishes will have about \$2.17 million less in federal operating money in 1985, according to a Regional Transit Authority internal memorandum.

The 25 percent cutback is part of a Reagan administration program to reduce the nation's transit operators' dependence on federal money.

Reagan's 1985 fiscal year budget calls for a \$338 million cutback for operating expenses, including salaries.

The memo said the RTA, which runs buses and streetcars in New Orleans, will lose \$1.5 million in fiscal year 1985. The RTA is scheduled to receive \$6 million this fiscal year ending Oct. 1, but would get only \$4.5 million from the 1985 budget.

The RTA memo, prepared by planner George Amedee for executive director Dean P. Bell, said Jefferson Parish will lose about \$600,000. It is scheduled to receive \$2.41 million in 1984 and would get \$1.81 million in

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## Edwards wants life-term inmates evaluated

By JACK WARDLAW

Capital bureau  
BATON ROUGE — Gov.-elect Edwin W. Edwards said Wednesday he plans to create a "forgotten man" committee to study the 1,200 people serving life terms in Louisiana penitentiaries.

A similar commission in the 1950s resulted in freeing a number of life-term inmates. Edwards did not state that as his goal. But C. Paul Phelps, his nominee for state corrections secretary, said the aim is to see how far the state can safely go in releasing those who no longer pose a danger to society.

Phelps said the committee is part of the governor's policy of "addressing the overall criminal justice system, from the front end where they are arrested to the tail end as to what we can do with people we are virtually warehousing."

"If we continue our present policy," Phelps said, "we are going to be running one of the largest old folks' homes in the country."

The panel, Phelps said, will "take a long look at people doing life and very long sentences, to find the best way to keep the streets safe and at the same time not creating a very serious fiscal problem for the state."

"Some people deserve to stay in prison for life," Phelps said, "but there comes a time when they are no longer a physical threat to anybody. We ought to look at alternatives to very expensive custodial care."

"But we should be cognizant that violent people should not be on the streets," Phelps added.

Edwards' brief statement noted that the late Gov. Earl K. Long "originated the splendid idea of having an outside committee of interested citizens look

into the conditions and life chances of those persons serving life sentences, and out of that came new and fresh voices speaking up for those whose voices had been silenced by years of incarceration, despair and isolation."

Members of the committee will not be paid, Edwards said. Persons interested in serving on it, he said, should contact his transition headquarters in Baton Rouge.

Long's "forgotten man" committee resulted in clemency for a number of long-term inmates. The governor, through the Pardon Board, has the power to shorten terms of any state prisoner.

Edwards said in his campaign that he would consider ways of cutting down the overcrowding in state prisons that has resulted in a federal court order to limit prison populations. He also said he would consider carefully

the views of local judges and law enforcement officials.

Until 1977, most people sentenced to life terms in Louisiana became eligible for parole after 10½ years. But the Legislature passed a bill requiring that most life terms be served without probation, parole or suspension of sentence and Edwards signed it into law.

That law, and others lengthening the penalties for a number of offenses, has resulted in state institutions becoming jammed and a backlog of inmates in local jails who have been sentenced to state prisons.

The Louisiana Commission on Law Enforcement Tuesday issued an updated report on the overcrowding problem and presented it to U.S. District Judge Frank J. Polozola of Baton Rouge, who has laid down strict limits on the number of prisoners who may be kept in each lockup.

"The problem of overcrowding continues to be widespread and is not restricted to the major metropolitan areas," the report said.

The study, covering the last half of 1983, said 43 parishes and 53 jails experienced "serious crowding problems over the reporting period."

Orleans Parish Prison, the report shows, has the greatest problem with inmates that should be in the care of the state. In July, 1,016 of its 3,124 inmates had been sentenced to state terms. By December, there were 2,768 inmates and 889 of those should have been in the care of the state.

Here is what the report showed for each of the other New Orleans area parishes. "Unconditional capacity" reflects the number of prisoners that can be housed in the jail for an indefinite period.

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