

# Jonathan Rosenfeld's Nursing Homes Abuse Blog

## Nursing Home Spotlight: California Gardens Nursing & Rehab Center - Chicago, IL

*Posted at 5:26 AM on August 13, 2010 by Jonathan Rosenfeld*

The failure of California Gardens to properly implement a facility-wide smoking policy resulted in a recent fine of \$5,000 and a [Type A violation](#) issued by the Illinois Department Of Health. According to a November, 2009 survey report, state officials focused on a 68-year-old patient at the facility who had an extensive history of physical and psychiatric ailments.

State officials noticed that the man had multiple burns on his chest that were indicative of him smoking in bed--- a clear violation of the facilities smoking policy. A review of the man's nursing home chart confirmed that he had a history of smoking violations-- including smoking in his bed.

Interviews with nursing home staff at California Gardens paints a picture of a facility with a poorly implemented smoking policy. On more than ten occasions staff at California Gardens suspected the man of smoking in his room-- yet they failed to take effective action to correct the pattern of dangerous behavior.

The fact that staff allowed this patient to smoke in his bed obviously poses a threat to the safety of himself and other patients and staff at the nursing home. According to California Gardens smoking policy:

- No smoking is permitted in any patient bedroom or bathroom
- All residents are expected to abide by the facilities smoking policy
- Cigarettes are to be distributed by the facilities activity department
- Smoking privileges will be withdrawn if they are not properly followed

Certainly, given the obvious safety risks associated with careless smoking facilities need to create and effectively implement a smoking policy for the safety of everyone at the facility. I have worked on a number of matters where patients have sustained serious burns due to the facilities failure to look after patients who smoke. Hopefully, this citation will be a wake up call for California Gardens Nursing & Rehab Center to improve their smoking safeguards before a patient is seriously harmed or killed in a smoking-related event.

If you have a family member at California Gardens and are concerned about the care they receive, I would be happy to discuss your legal options with you.

As always, there is no charge to speak to a lawyer and all consultations are confidential.

Related Nursing Homes Abuse Blog Entries:

[First Quarter 2010 Illinois Nursing Home Violations Released](#)

[Unsupervised Nursing Home Resident Dies From Burns](#)

[Nursing Home Patient Sustains Serious Burns After Smoking In His Bed](#)

[Smoking-Related Fires Are A Real Threat To Nursing Home Patients. Is It Time To Put Out The Fire?](#)

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Jonathan Rosenfeld represents victims of nursing home abuse and neglect throughout the country. For more information please visit Nursing Homes Abuse Blog ([www.nursinghomesabuseblog.com](http://www.nursinghomesabuseblog.com)), Bed Sore FAQ ([www.bedsorefaq.com](http://www.bedsorefaq.com)) or call Jonathan directly at (888) 424-5757.

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