



## Jonathan Rosenfeld's Nursing Homes Abuse Blog

### When Assisted Living Patient Sustains Smoking-Related Burns, Is Anyone To Blame?

By *Jonathan Rosenfeld* on July 12, 2011

Smoking-related injuries in nursing homes and assisted living facilities remain a consistent threat to the safety of both smokers and non-smokers at these facilities.

Every year, hundreds of residents and employees at these facilities sustain serious burn injuries due to mishaps with smoking materials and fires started when by smokers carelessness.

I was startled by a recent report of a smoking-related fire at an [Arizona Assisted Living Facility](#) that was apparently started by a patient who was smoking in his room in close proximity to his oxygen tank. Not surprisingly, the man sustained serious burns that will require extended hospital treatment.

Though the fire spread to his bedspread and room, the sprinklers in the building extinguished the fire before it spread to other patients rooms or caused an other injury.

In the course of the fire department's investigation, they discovered "a great deal of lighters, matches, and cigarettes" in the man's bed.

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 ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com)).

Assisted living facilities and nursing homes must balance a fine line between giving patients freedom to smoke and protecting the individual from harming themselves and others. Having litigated a number of **smoking burn injury cases** involving these facilities, I frequently find facilities providing inadequate supervision for patients. Even at facilities where smoking policies seem relatively strict, I find the policies poorly enforced.

At the very least, facilities should be aware of their patients who smoke and have clearly written policies to protect patients including:

- Providing smoking areas for patients
- Making ashtray and smoking aprons freely available
- Keeping all smoking materials away from patient rooms
- Ensuring that all oxygen canisters and other flammable materials are removed while smoking