

Cigarette maker hospital are sued

Hospitals - Dominican Hospital
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SANTA CRUZ — The half-sister of a woman who died in a fire at Dominican Hospital last summer has filed suit against the hospital and a cigarette maker.

The suit was filed in Superior Court on Aug. 12 by Alice M. Shamlian, who is also executor of the estate of Mabel Josephine "Jodie" Andrews.

After Andrews died, Shamlian, a Vallejo resident, talked of the sisters' closeness although they were born 23 years apart. Andrews had no children.

In the suit, Shamlian claims she has been deprived of Andrews' "social comforts and attentions."

Andrews, 81, died of burns and smoke inhalation in the fire on June 7, 1991, which the suit said was caused by the woman smoking in bed.

The suit alleges medical malpractice on the part of the hospital, and product liability by RJR Nabisco, makers of "More" cigarettes.

The suit claims that the hospital allowed the elderly woman, who was recovering from hip replacement surgery, to smoke in bed unsupervised.

According to the suit, "the defendant and its employees knew or should have known that due to her recent surgery, advanced age and pain-killers made unsupervised smoking in bed dangerous."

The suit also alleges no one at the hospital was aware of the fire until a patient in an adjoining room gave "a verbal alarm."

The suit also stated that the hospital failed to provide the proper "fire protection equipment" and that the equipment that was finally brought to the scene to fight the blaze was "inadequate."

The suit names RJR Nabisco as a defendant, arguing that the makers of "More" cigarettes failed to warn users of the dangers of fires from ashes falling onto bedclothes.

The cigarette makers also failed to warn that use of drugs, or alcohol with cigarettes could be dangerous by causing users to "become drowsy or fall asleep," the suit alleges.

Shamlian's attorney, Vincent Hurley of Santa Cruz, did not return a telephone call seeking comment on the suit.

Dominican Hospital public relations director Penny Jacobi said the hospital had not yet been served with a copy of the suit and could not comment on the specific allegations.

She did say the hospital was found to be in compliance of state fire codes at the time of the blaze.

"We also have voluntarily undertaken a \$250,000 project to install fire-detection equipment during this fiscal year," Jacobi said.

On July 1, the hospital also instituted a ban on smoking.

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