

# Fall River fire prompts reconsideration of how Mass. regulates assisted living

By [Jason Laughlin](#) and [Kay Lazar](#) Globe Staff, Updated July 23, 2025, 8:00 p.m.



The Gabriel House Assisted Living Facility in Fall River on Tuesday. DAVID L RYAN/ GLOBE STAFF

The fatal fire at a Fall River facility for seniors last week is poised to reshape how [Massachusetts regulates](#) assisted living homes statewide.

The blaze at Gabriel House, which killed 10 people and sent around 30 to hospitals, is prompting a state commission to address questions raised by the fire, including whether

safety precautions at the state's 273 assisted living residences and their [staffing](#) levels are sufficient to meet residents' needs.

The [Assisted Living Residences Commission](#), which met Wednesday, is also considering whether the state should regulate the few facilities that cater to [lower-income clients](#), like Gabriel House, differently from the majority that serve a wealthier clientele. Commission members discussed a tiered regulatory system that could introduce different standards for more affordable homes or homes with a significant population of people with more complex health needs, measures that would bring Massachusetts regulations more in line with those of other states.

The commission, tasked last year with rethinking how Massachusetts regulates assisted living facilities, was scheduled to release recommendations to the Legislature on Aug. 1. The commission pushed back that deadline at least 90 days on Wednesday so members, including state legislators, advocates for older adults, and representatives from the assisted living industry, have additional time to hear testimony and gather information on how to improve emergency safety and preparedness.

"The mission is not only broadened... but the urgency is different," said state Senator Mark Montigny, a New Bedford Democrat and a commission member who pushed for an expanded mandate. "The spotlight is on this commission."

Some assisted living facilities are essentially senior housing with staff available to provide help with daily activities such as bathing and dressing. While assisted living residences cannot provide 24/7 nursing care, many increasingly support people with significant physical impairments.

"We're seeing an increased level of the complexity and acuity of people in assisted living," said Matt Salmon, chief executive of Salmon Health and Retirement, which operates assisted living programs on four campuses in the state, and a member of the committee. "We need to understand what the upper limit is for what is acceptable to be cared for in assisted living."



Because of the independence they offer, assisted living facilities are a welcome alternative to nursing homes for many. But they are far less regulated than nursing homes, with virtually no staffing requirements and less frequent or rigorous inspections.

The state commission noted a need for disclosure statements that would make clearer what services assisted living residences provide, and when another setting would be more appropriate for a person's needs.

Preliminary information released Tuesday suggested medical oxygen and cigarette smoking may have [contributed to the fire](#). Investigators found an oxygen concentrator, a device that separates nitrogen from the air to increase oxygen rates, and smoking materials in the room where the fire began, according to Jon Davine, the state fire marshal. Patients' concentrated oxygen likely contributed to the fire's spread, he said.

Residents in assisted living homes are allowed to use medical oxygen, said Paul Lanzikos, a leader in the senior advocacy group the Dignity Alliance and a former Massachusetts elder affairs secretary.

But pure oxygen can make fires burn hotter and faster and can be explosive, according to the Cleveland Clinic. People should not smoke near oxygen concentrators.

Assisted living homes are required to evaluate residents who need oxygen to determine whether they are able to manage their own care, the state's Office of Aging and Independence said. Some assisted living facilities have permission for staff nurses to assist patients with medical oxygen, but Gabriel House was not among them.

Assisted living facilities are also allowed to establish their own smoking policies, the state reported. The lawyer of a Gabriel House resident who filed suit over the fire said the facility didn't permit smoking, but the rule wasn't enforced.

As of this week, all of the displaced residents are in a case management system, said Kimberly Smith, the executive director of United Way at Greater Fall River. Survivors are

staying in at least six living facilities across Massachusetts, ranging from centers in Fall River to South Yarmouth.

Since the fire, there have been at least two funerals, including one for Rui Albernaz, 64, on Wednesday and for Margaret Duddy, 69, on Tuesday.

Robin Lipson, the state's Secretary of the Executive Office of Aging and Independence, visited the scene of the fire Tuesday, and fire officials and first responders there offered additional recommendations to improve safety, including:

Central air systems. Window air conditioning units hindered evacuation efforts.

A digital census providing emergency responders with specific information about residents' mobility and care needs.

People who aren't able to walk easily should receive first-floor units.

Signs at doors that help rescuers identify whether a room is occupied.

Improved drill procedures, including requirements that temporary staff participate in emergency training drills.

Among the state's assisted living residences are about 20 where half or more of the residents receive some form of public assistance, including housing vouchers and Medicaid programs that pay for care. Medicaid does not cover the cost of rent at assisted living facilities. The commission discussed the possibility they should be regulated differently than the rest of the industry.

Information obtained by the Boston Globe indicated more than 80 percent of Gabriel House's residents received some form of public support.

State Senator Patricia Jehlen, a Somerville Democrat, asked whether the money coming in from public funding sources is enough to meet residents' care needs at affordable homes. She cited one of the state programs that provides personal care assistance that

helps keep people out of nursing homes, Group Adult Foster Care, which pays [\\$50 a day](#) per resident, she said.

“You can’t provide adequate assisted living at the GAFC rates,” Jehlen said.

Paula Carder, director of the Institute on Aging at Portland State University, said assisted living facilities with a higher percentage of low-income residents may not have the resources to upgrade to the latest type of fire suppression equipment and said states should consider that when regulating and funding such facilities.

Rules governing assisted living residences vary widely among states, but Massachusetts rules tend to be more about housing than health care services, Carder said. Nationwide, that balance has been shifting toward more health services, she said.

“There is a recognition of higher acuity and memory impairment because people are either moving in at older ages or they’re aging in place,” Carder said.

States with more detailed rules about staff training and staff-to-resident ratios tend to produce better outcomes for residents, she said. Massachusetts is not among those with such specificity, she said.

Assisted living residences were already on the cusp of regulatory change in Massachusetts before the fire. The Executive Office of Aging and Independence is close to releasing rules for assisted living homes that want to provide basic medical services, a new option granted to them by legislation passed last year, Lipson said.

“They were halfway out the door, and we pulled them back because we were working this week to incorporate some other things that we want people to comment on,” she said during the meeting.

The state attorney general is also close to releasing regulations to improve consumer protections in the assisted living industry, Lipson said.

*Globe correspondent Jessica Ma contributed reporting.*

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