

Alleged sexual abuse by fired ER nurse Jeffrey McAllister triggers \$2.5 million lawsuit by patient

mcAllister.jpg

Jeffrey N. McAllister, 38, appears at his arraignment in Portland. *(Brent Wojahn/The Oregonian)*

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A 37-year-old homeless woman who was suffering a miscarriage went to **Legacy Emanuel Medical Center's** emergency room on Feb. 14 for help.

Instead, her nurse, **Jeffrey N. McAllister**, injected her with morphine, and under the pretense of needing to conduct a medical exam, molested her in a bathroom and later placed her hand on his penis for his own sexual gratification, according to a lawsuit filed Wednesday in Multnomah County.

The patient, identified as K.S. in the suit, accuses the hospital of neglect and battery and seeks \$2.5 million in damages.

McAllister, 38, was fired from Legacy Emanuel in April. He has pleaded not guilty to first-degree sexual abuse and second-degree sexual abuse charges stemming from the woman's February encounter. He remains in custody on a 13-count indictment that also alleges he sexually abused three other women who were Legacy ER patients, on Sept. 24 and Oct. 13 of last year and Jan. 15 this year.

In other developments, the **Oregon State Board of Nursing** has moved to revoke McAllister's license and accuses him of abusing two more women.

The lawsuit contends the hospital was aware of a sexual abuse allegation against McAllister as early as 2006, but failed to adequately investigate that and similar complaints since then. It notes the 2006 allegation was documented in his Legacy employment file.

"Once again, we see the tragic pattern of an institution whose mission is to protect the public, instead choosing to protect itself from liability and scandal," said the woman's attorney, Greg Kafoury of the Portland firm Kafoury & McDougal.

Legacy Emanuel spokesman Brian Terrett said the hospital had just received a copy of the suit.

"Legacy Health and Legacy Emanuel Medical Center absolutely condemns any inappropriate conduct by employees toward Legacy patients," Terrett said. "It will carefully review the allegations being made and conduct a thorough investigation. Legacy Emanuel Medical Center has been and will continue to provide the highest quality of medical care to all its patients."

Meanwhile, the state nursing board has proposed revoking McAllister's license for alleged "conduct derogatory to the standards of nursing."

The board claims McAllister engaged in a total of six inappropriate encounters with patients, including the four contained in the indictment. In the other two, the board alleges McAllister sexually assaulted a Legacy patient on April 15 of this year and made inappropriate sexual comments to an ER patient at a second hospital where he'd worked, Providence St. Vincent Medical Center, on Oct. 19, 2010. At this time, McAllister doesn't face charges in either of the board accusations.

Board documents say McAllister offered a Legacy Emanuel patient additional pain medication in the April encounter in exchange for oral sex.

McAllister, in a written statement to the board, "denied acting inappropriately" toward any patient. McAllister's lawyer, Daniel Woram, declined comment.

The patient who filed Wednesday's lawsuit complained in detail to Legacy Emanuel security officials on the day of her alleged abuse, the suit says.

But instead of investigating, the suit says, the security officials escorted the woman out of the hospital immediately even though she hadn't received appropriate care for her miscarriage.

"They got her out of that hospital through the nearest exit," Kafoury said. "She wanted to make a phone call, and she wasn't allowed to."

The lawsuit alleges hospital staff also failed to adequately supervise McAllister, allowing him to be alone in a room with a patient, despite earlier accusations of sexual abuse.

McAllister, a former police officer in Beaverton and Seaside, had worked security for Legacy Health from 2004 to 2005. He worked at Legacy Emanuel as an ER technician from 2005 to 2008 and as a registered nurse in the emergency room there from 2008 until April, when he was fired.

McAllister's nursing license was renewed on April 18 for two more years while he was under investigation by Portland police and the nursing board, state records show. But a week after McAllister's arrest on July 10, he voluntarily agreed to cease practice pending the outcome of the nursing board's inquiry.

The nursing board on July 30 proposed revoking McAllister's nursing license. He has the right to contest the revocation before the board.

McAllister also had worked part time at Mid-Columbia Medical Center in The Dalles.

-- Maxine Bernstein