Fired hospital worker's case points to a trail of stolen drugs and thousands of patients at risk

By Rick Anderson

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When a surgical technician named Rocky Elbert Allen was accused in February of stealing drugs from a Denver-area hospital, it was the sort of news that ended up in a police blotter.

But as investigators began combing through the 28-year-old former Navy operating-room tech’s past, they say, what emerged was a startling, five-year trail of inside drug thefts at hospitals across the West, the story of a man who was fired repeatedly yet was somehow able to talk his way back into employment – and, authorities say, more drugs.
The thefts, typically of syringes containing fentanyl – a powerful opiate given by anesthesiologists – “occurred at virtually each and every healthcare facility” dating back to his employment with the Navy in 2011 and ending at Swedish Medical Center in suburban Denver, authorities say.

Allen’s alleged modus operandi – to switch sterile, narcotic-filled syringes with potentially unclean syringes containing a saline solution – has also raised concerns about contamination.

As hospital officials in Washington state, California and Arizona learned about the Colorado case, they contacted authorities and publicly offered infection tests to all patients who underwent surgery during Allen’s employment at their facilities.

To date, hospitals in or around San Diego, Seattle, Phoenix and Denver have asked 6,350 former patients to come in for blood tests to check for HIV, hepatitis B and hepatitis C.

The facilities said they were erring on the side of caution. As Swedish Medical Center put it in a statement, “At this point we have no evidence of any patient exposure. However, we are taking a position of extreme caution by offering free testing to all patients who had surgery” during Allen’s employment from last August to his firing in January.

Allen, according to court filings, was seen with needle containers outside the operating room and said he had a blood-borne disease himself, but did not identify it. His duties as a surgical technician included preparing operating rooms, arranging and keeping track of surgical equipment, and assisting surgeons during operations.

Fallout from Allen’s growing case is ongoing, says Denver attorney James Avery, who has been contacted by 150 patients seeking to file legal claims. Six, he says, allege they were infected during their hospital stays.

Avery has filed lawsuits against five of the hospitals including a damage claim filed last week by three former
patients against Northwest Hospital & Medical Center in Seattle, operated by the University of Washington. Avery’s clients contend the hospital was negligent in hiring and supervising Allen.

The lawsuit was filed just days after a Washington State Health Department probe found the hospital failed to report Allen’s alleged misconduct and firing, as required, and did not document or investigate the technician’s alleged drug diversion.

“Our belief is that the hospitals did only a state criminal records check and no verification of employment backgrounds,” Avery said in an email, “which would have revealed the false information provided by Allen and most importantly, his court martial on similar drug theft charges in 2011.”

Navy records show that Allen – who went to high school in Boise, Idaho, and attended the University of Washington in Seattle – gained his certificate as an operating room technician in 2008 from the Naval School of Health Sciences in Portsmouth, Va.

He served at a Navy hospital in Bremerton, Wash., then as a Navy operating room tech in Afghanistan. Accused of stealing drugs there, he admitted during a court-martial to taking 30 syringes of fentanyl by breaking into a drug locker, but said he became nervous and tossed the narcotics in the trash.

His service records show he claimed to have gotten hooked on pain drugs as a way to “escape” the carnage he was seeing around him in the military hospital. “I have learned so much from this experience,” he said of getting caught. “I know that it has made me stronger.”

Allen has been charged with just two criminal counts – drug theft and tampering with syringes at the Englewood hospital. But federal prosecutors this month filed an updated chronology of “prior bad acts” they intend to introduce as evidence of a pattern of alleged thefts leading up to the Colorado charges.

After Allen was busted in rank, served 30 days in the brig and was discharged by the Navy after the court martial, he took a civilian technician job in October 2011 at Lakewood Surgery Center in Lakewood, Wash. He was terminated just over a month later for suspected drug theft, according to the court chronology. (The center recently offered infection testing to 135 patients who had surgery during Allen’s time there.)

Three weeks later, he was hired at Northwest Hospital in Seattle, where he was fired after two months for alleged misconduct. Court records say he was repeatedly seen taking or handling syringes under questionable circumstances. (The hospital is offering infection testing to 1,300 former patients.)

Allen was hired in May 2013 at Scripps Green Hospital in La Jolla, near San Diego. He was fired, records show, a month later after being found with a syringe of fentanyl hidden in his sock. (The hospital says 518 patients have been offered blood tests.)
In May 2014, Allen was hired at Banner Thunderbird Medical Center in Glendale, Ariz., where he lasted less than two months. He was allegedly seen attempting to steal drugs. (Testing is being offered to 1,400 patients.)

Allen then took a technician job in July 2014 at HonorHealth John C. Lincoln Medical Center in Phoenix. In September, he was reportedly found passed out in a hospital restroom, a syringe in his hand. Taken to the emergency room, he tested positive for fentanyl, and was fired a week later (97 patients have been invited to have tests).

At Swedish, where he was hired in late 2015, he was reportedly seen swapping syringes, but denied he took any drugs and agreed to a blood test. It was positive for fentanyl and marijuana, the chronology states. Allen was fired and the hospital informed authorities, setting off the current investigation. (The hospital is offering blood tests to 2,900 patients.)

Allen is free on $25,000 bond and awaiting trial, currently set for August. He has pleaded not guilty and has tried returning to the operating room.

According to the Washington Department of Health, Allen applied in February for a technician job at Northwest Hospital in Seattle, which had earlier fired him. This time, the department says, the hospital turned him down.

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