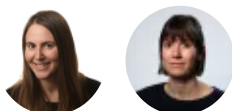


‘They knew, and did nothing’

Former patients of Fabio Ortega say Endeavor Health failed to protect them from an abusive doctor



By [LISA SCHENCKER](#) | lschencker@chicagotribune.com | Chicago Tribune and [EMILY HOERNER](#) | ehoerner@chicagotribune.com | Chicago Tribune

UPDATED: June 14, 2024 at 6:42 PM CST



“Victoria” is one of at least 30 women who have filed lawsuits alleging that Dr. Fabio Ortega sexually assaulted them during exams. (Stacey Wescott/Chicago Tribune)

Editor's note: This story includes descriptions of sexual abuse.

As Victoria stepped into Dr. Fabio Ortega's exam room in the summer of 2017, she had no idea the gynecologist's career was hurtling toward destruction.

She didn't know that an angry husband had called more than five months earlier to complain about Ortega's treatment of his wife at a NorthShore University HealthSystem office in Skokie. The woman said the doctor had asked if it felt good when his fingers were inside her vagina, had conducted an ungloved breast exam, and had inquired about her sexual fantasies.

NorthShore, now called Endeavor Health, did not tell Victoria that Ortega was under police investigation as a result of that woman's allegations, according to a lawsuit Victoria later filed. The Skokie Police Department had already gone back and forth with Endeavor about Ortega over a span of several months, police records show.

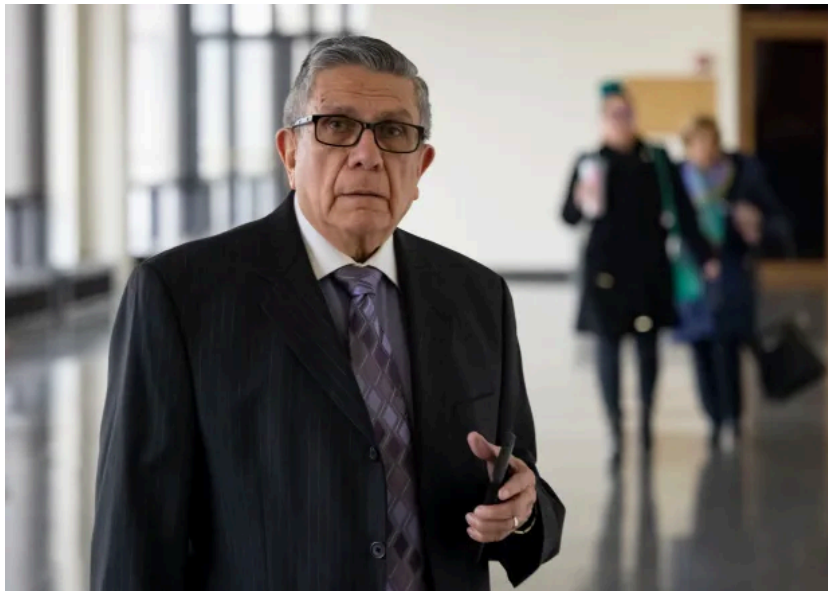
Nor was Victoria aware of Ortega's previous history, including a patient who public records show had complained to Endeavor back in 2012, contending he had behaved inappropriately during an appointment.

Had Victoria known those things, she never would have agreed to see Ortega at his Lincolnwood office, she said in an interview. Instead, she wound up in a room with a gynecologist who would later serve prison time for sexually abusing patients.

“That's what angers me the most, is NorthShore knew,” she said. “They could have done something.” The Tribune is using a pseudonym for Victoria because the Tribune generally does not name people who report being sexually assaulted or abused without their permission.

At least 30 women, including Victoria, have filed lawsuits alleging that Ortega sexually assaulted them during appointments over a span of three decades at various Endeavor locations and, before that, at Swedish Hospital in Chicago, formerly Swedish Covenant. Most of the lawsuits allege that Endeavor and Swedish either knew or should have known that Ortega was a danger to patients. They contend the health system failed to protect them.

Now [a Tribune investigation](#) has pieced together the fullest picture yet of Ortega's troubled history with patients and Endeavor's pivotal role in keeping the doctor in place, with access to vulnerable female patients, despite multiple complaints.



Dr. Fabio Ortega, shown in March 2023 during a civil proceeding at the Daley Center, pleaded guilty in 2021 to sexually abusing two former patients. His medical license has been revoked. (Brian Cassella/Chicago Tribune)

In court records, patient after patient described how Ortega had inquired about their sex lives while his fingers were inside them. They recalled the doctor's attempts to sexually stimulate them and the vaginal and breast examinations they now believe were not medically necessary.

At Victoria's appointment, she contends in her lawsuit, the doctor touched her thigh without medical gloves, joked about her boyfriend's penis size and tried to stimulate her while stating he was touching her "G spot." She left the appointment in tears, she told the Tribune.

Tamara Holder, an attorney who is representing nearly all of the women who have sued Ortega, Endeavor and Swedish, said an additional 123 of Ortega's former patients have retained her and her co-counsels, Johanna Raimond and Stephan Blandin, to represent them.

Ortega pleaded guilty in October 2021 to sexually abusing two former patients, including the woman whose husband called the Skokie medical office, and was sentenced to three years in prison.

Ortega and Endeavor have settled 21 lawsuits in the last five years, according to court records. Ortega and Swedish Hospital, which Endeavor acquired in 2020, have settled an additional two lawsuits, and six lawsuits against the doctor, Endeavor and/or Swedish are still pending.

The terms of the settlements are confidential, and Endeavor has never publicly admitted any wrongdoing or error in its handling of Ortega and the allegations against him.

By contrast, after ProPublica reported last year that Columbia University had protected gynecologist Robert Hadden, who faced allegations from hundreds of women, leaders of Columbia and Columbia University Irving Medical Center said in a November news release that they were "deeply sorry" that "Columbia failed these survivors."

The release said Columbia would notify nearly 6,500 patients of Hadden's crimes and establish a \$100 million survivors' settlement fund. It also said the university would commit to an external investigation to examine the failures that allowed Hadden to abuse patients and work with outside experts to review the hospital's patient safety policies and procedures.



Attorney Tamara Holder is representing more than two dozen women who have sued Fabio Ortega, Endeavor Health and/or Swedish Hospital, where he used to work. (Stacey Wescott/Chicago Tribune)

Endeavor Health did not answer numerous written questions from the Tribune about the allegations and lawsuits against Endeavor, Ortega and Swedish, saying in statements that it was unable to comment on pending claims or litigation but that “Endeavor Health has absolutely no tolerance for abuse of any kind.”

“The past events reported are incredibly upsetting and concerning, and we recognize the tremendous strength and courage it takes for survivors of abuse to come forward,” Endeavor said in a statement. The statement said Endeavor is committed to “meaningful review and response to each patient impacted.”

In the time since Ortega last worked there, Endeavor has “enhanced and evolved” its processes and policies to support the reporting of abuse allegations, the statement said. “Our policies require we investigate all allegations of abuse that are reported to us, (and) take prompt action in all matters, including removal from care or chaperoning for providers during investigation,” it said. “We also support patients in reporting allegations, and fully cooperate with law enforcement.”

The health system offers chaperones for sensitive exams and has implemented sensitivity training for providers, another Endeavor statement said.

Ortega did not respond to requests for comment for this story. But at the court hearing where he pleaded guilty to sexual abuse, he denied that he ever meant to harm his patients.

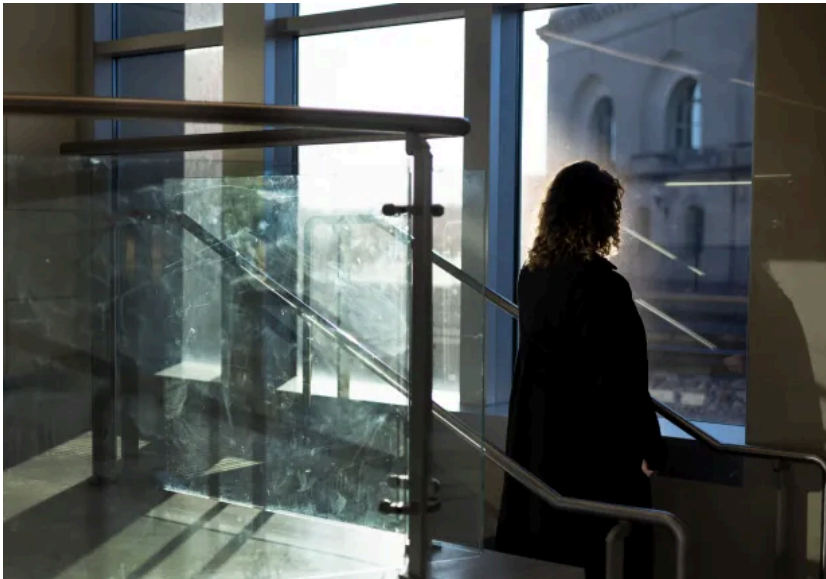
Endeavor is a large health system with nine hospitals, including in affluent northern and western suburbs, and has a total of about 300 locations providing care. The health system had more than \$5.3 billion in revenue in 2022.

Some of Ortega's patients say they wish Endeavor had devoted more of its resources to protecting them.

‘Something is very, very wrong’

Elena kept what happened buried within her for more than a decade.

Elena (also a pseudonym) began seeing Ortega at Swedish Hospital in 2001, amid the excitement of her first pregnancy. Elena, who typically brought her husband or mother to appointments, told the Tribune she found Ortega to be trustworthy at the time.



"Elena," shown in February, was a patient of Fabio Ortega's in the early 2000s. She sued him in 2019 after seeing he had been arrested and said she hopes that coming forward will inspire others to do the same. (Stacey Wescott/Chicago Tribune)

The doctor, who is from Colombia, spoke to her and her mother in Spanish, which provided additional comfort, Elena said. She remembers her mother saying he seemed like a great doctor.

When Elena became pregnant again two years later, she didn't hesitate to turn to Ortega. But for this pregnancy, she went to most of the appointments by herself.

The appointments seemed different this time, she said. It seemed as if Ortega often wanted to do a vaginal exam, even during appointments where she thought she was there only to check on the baby's heartbeat, she said.

The vaginal exams were rough and painful, according to the lawsuit she later filed. At one point, when she complained about the pain, Ortega made a comment about the size of her husband's penis, she contended in the suit.

"The look on his face, at times, I had to just turn away because there was just something gross," she told the Tribune.

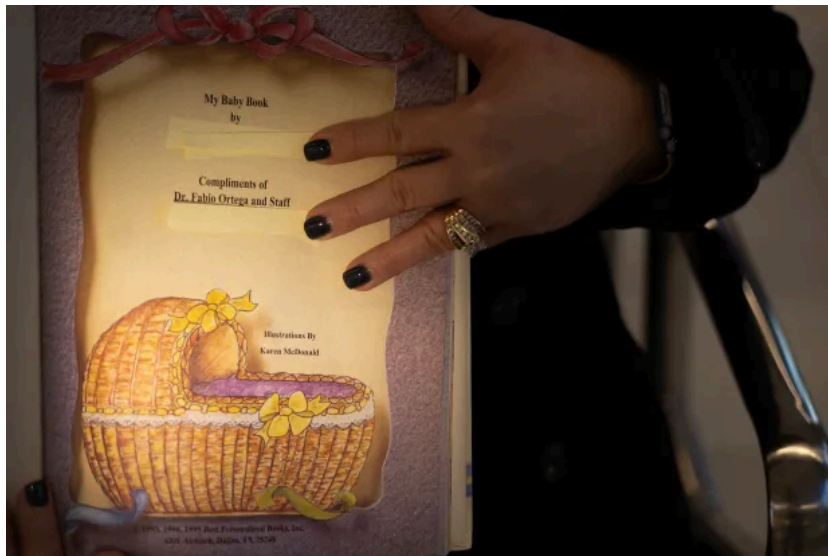
Still, she stuck with him throughout the pregnancy. "You're in this state of confusion, you're like: 'I know this guy. He helped deliver my first child.'"

She couldn't wait until the pregnancy was over, so she wouldn't have to see him anymore. She didn't say anything to anyone at the time, she said — she worried she wouldn't be believed.

Once her daughter was born, Elena tried to move on with her life but experienced anxiety and depression, she said. She could no longer stomach seeing male doctors, she said.

One day, more than 15 years later, Elena was scrolling through Facebook on her phone when she saw a headline about Ortega being arrested on a charge that he had sexually assaulted a patient.

"In that moment, my heart sank to my stomach; everything just went pitch black," Elena said. "That's when reality set in, like, OK, wait a minute, something is very, very wrong."



"Elena" holds an unused baby book given to her after Dr. Fabio Ortega helped deliver her first baby more than 20 years ago. She covered her name to protect her privacy. (Stacey Wescott/Chicago Tribune)

She also, however, felt some relief. Now that Ortega had been arrested, and others had come forward, she felt safe talking about her own experience and she filed her lawsuit in December 2019. She withdrew the lawsuit in June 2023 so her attorneys could focus on an Endeavor case that was set for trial, but said she intends to file again in coming months.

"I'm hoping the fact that women like me, that have decided to come forward, even if it's 20-plus years later, it can inspire somebody to say, 'Hey, it's not too late,'" Elena said.

Women who have sued Ortega told the Tribune they felt uncomfortable during his examinations but didn't report the incidents earlier out of fear, disbelief or because they trusted that a doctor would do them no harm. In their lawsuits, the women said it wasn't until they learned of Ortega's criminal charges that they realized his behavior reflected something more sinister.

Jennifer, a patient who saw Ortega for an appointment in March 2016, told the Tribune: "I drove home and I remember thinking to myself: 'No, that didn't happen. You're overreacting. He's a doctor. A doctor would never ever do that.'"

Jennifer – also a pseudonym – alleged that as her feet were in stirrups, Ortega began asking her questions about her husband and sex life. As he questioned her, he stroked her vagina in a rhythmic motion, explaining that he was rubbing her G-spot, prosecutors said at the hearing at which Ortega pleaded guilty.

She tried to squirm away from him, she said, but she couldn't move much.

During the breast exam, Ortega rubbed and groped Jennifer's breasts, according to prosecutors. She told the Tribune she started counting the little holes in the ceiling tiles to take her mind off of what was happening.

Finally, he finished. He told her to get dressed, she said, and to come back for another appointment. She left and never returned.

Continuing to practice

Even before Skokie police began asking Endeavor Health questions about Ortega in 2017, there were signs that something was amiss with the doctor's behavior.

One woman told police after Ortega was charged criminally that in 2006 or 2007 she had requested a chaperone during her appointments with Ortega after one exam left her in tears. She continued seeing the doctor until she got health insurance and was able to see another physician, according to a 2018 Skokie police report obtained by the Tribune.

Endeavor officials told police at the time that they had no records indicating the woman was ever a patient of Ortega's, but also acknowledged that records from the time period may have been purged, the police report states.

In addition, a patient told Endeavor in 2012 that Ortega had asked inappropriate questions and touched her inappropriately during an exam, according to a court transcript.

Leaders of obstetrics and gynecology at Endeavor met with Ortega and presented him with the patient's complaint, according to a 2012 note from the health system's obstetrics director that a Cook County judge described last year at a hearing related to another patient's lawsuit.

It's not clear from court documents how Ortega responded at the time, but he said last year, in response to written questions from Jennifer's lawyers, that it was "determined that my questions and exam were not inappropriate."

According to the judge's description of the note, the patient ended up apologizing for her "misconception" about Ortega's actions.

A 2019 lawsuit filed against Ortega and Endeavor by another patient alleges that she told Endeavor staff on multiple occasions that she was refusing to see Ortega because she did not feel comfortable with him. In a 2016 Yelp post about the Lincolnwood clinic that is quoted in her lawsuit, the patient wrote that "while most of the doctors are wonderful, I had a bad experience with one particular (Ortega) and I feel like my problem is being dismissed and like they don't care. I have told multiple people I do not feel comfortable with him, and I basically got told too bad."



Dr. Fabio Ortega used to work in this Lincolnwood medical office, part of NorthShore University HealthSystem. NorthShore recently changed its name to Endeavor Health. (Stacey Wescott/Chicago Tribune)

A woman who sued Ortega and Endeavor in 2021 said in an affidavit that starting in April 2014 she told Endeavor schedulers on several occasions that she would not see Ortega.

Then came the patient whose angry husband called the Skokie medical office demanding to speak to Ortega after her appointment with the doctor in late January 2017. The woman also went to Skokie police, who first contacted Endeavor about a week after the incident, a police report states.

Endeavor allowed Ortega to see patients after police contacted the health system, court records show. Endeavor would not answer questions from the Tribune about whether it put Ortega on leave or at all restricted his duties in the months after the patient contacted police.

Officers spent more than a month going back and forth with an Endeavor office manager, an Endeavor attorney and the human resources department before they were able to question a medical worker and the physician who took the husband's phone call, according to the police report.

At one point in the investigation, the report states, police received a call back from the human resources director only after police attempted to call Ortega and instead reached his wife.

During the same period that police were beginning to investigate the woman's complaint, Endeavor was discussing the patient's allegation with Ortega and the other doctor, according to police and state disciplinary documents.

Endeavor would not answer the Tribune's questions about how it investigated the woman's allegation. A complaint brought against Ortega by the Illinois Department of Financial and Professional Regulation in 2018 states that Endeavor discussed the allegation with Ortega on Feb. 10, 11 days after the woman's husband contacted the medical group — and three days after being contacted by police.

The gynecologist who spoke to the patient's husband told police in mid-March of 2017 that he had already been interviewed by the human resources director and another Endeavor manager, in the presence of two attorneys, according to the police report.

Police interviewed Ortega about six months after the patient went to police. Records show they also talked to him about another patient whose husband had reported the doctor to the Department of Financial and Professional Regulation in 2014, alleging inappropriate conduct. Police learned from the department, which oversees doctors' licenses, that it had closed the complaint because it couldn't reach the man or his wife for follow-up.

A civil attorney representing Endeavor was present when the police interviewed Ortega, along with the doctor's criminal attorney, according to a police report. Yet Ortega went back to work the next day, according to a lawsuit filed by a former patient who alleged Ortega sexually assaulted her on Aug. 12, the day after police questioned him. Endeavor agreed to a settlement in that lawsuit, court records show.

Ortega went on leave Aug. 14, 2017, and resigned from Endeavor about a year later, Ortega said in response to questions raised in one of the lawsuits against him. The resignation came around the time he was indicted in 2018 on one charge of criminal sexual assault, related to the woman who went to police in early 2017.

Shortly after Ortega was indicted, the Department of Financial and Professional Regulation temporarily suspended his license. He was no longer allowed to practice medicine.

Connecting the dots

Jennifer said she was standing in her kitchen washing dishes when she saw a story on the news about Ortega that noted his arrest. She dropped the dish she was holding and ran to her bedroom, where she fell to the floor.

In the years since her appointment, Jennifer had felt depressed and experienced debilitating migraines. She said she had panic attacks so severe they sent her to the emergency room.

"It feels like you're failing your children, you're failing your husband, you're failing yourself because you can't figure out what's wrong with you," Jennifer told the Tribune.

It wasn't until she saw his photograph on her television screen that it all started to make sense.

"I never would have connected the dots," she said. "It was almost like a sense of relief. I wasn't crazy."

She then went to Lincolnwood police. Jennifer and her husband also filed a lawsuit against Ortega and Endeavor that was settled in July 2023. The amount of the settlement is confidential, and Jennifer spoke with the Tribune before the case was settled.

Carrie Ward, CEO of the Illinois Coalition Against Sexual Assault, said women who experience sexual abuse often don't come forward right away.

Women may worry they'll be blamed or won't be believed over a doctor, Ward said. And when assault occurs at the hands of a medical provider, she said, it sometimes can take a while for the victim to sort out what was and wasn't appropriate about the encounter.

"They're expecting to be safe," Ward said. "I think that does contribute to confusion for folks harmed in that setting."

About 14 months after Ortega's 2018 arrest, he was charged with a second count of criminal sexual assault related to Jennifer's allegations.

At the 2021 hearing where he submitted his guilty pleas to charges of aggravated criminal sexual abuse, he tearfully told the courtroom: "As a physician ... I had never intended to hurt anyone. Never, never. I sincerely apologize to the women who felt that I acted inappropriately."

Jennifer's attorneys asked Ortega in written questions, as part of her civil case, if he had sexually assaulted Jennifer.

"No," Ortega answered last year. "I plead guilty to the charge based on advice of my attorney."

He is now out of prison, and his medical license has been permanently revoked.

Silence and settlements

According to the Department of Financial and Professional Regulation, there have been 21 out-of-court settlements related to medical malpractice claims involving Ortega between December 2019 and March 2021 totaling more than \$4.8 million.

Separately, in court, Endeavor and Ortega have reached settlement agreements in 21 lawsuits brought by women over the last five years, court records show. The settlement amounts have not been made public, and Endeavor's recent financial statements make no mention of them.

Meanwhile, the Tribune found no records to indicate that Endeavor has been disciplined by the state or other regulators for its handling of the allegations against him.



Attorney Patrick Viktora, representing Endeavor Health, leaves a courtroom in the Daley Center in the Loop in January. Multiple former patients of Fabio Ortega have sued the health system. (Eileen T. Meslar/Chicago Tribune)

That may be partly because of a loophole in Illinois law.

If a hospital worker or staff member has “reasonable cause to believe” a patient may have been abused at the hospital, the worker is required by law to report it to a hospital administrator. The [hospital is then supposed to report](#) the allegation of abuse to the Illinois Department of Public Health, and the hospital must take steps to protect patients, such as by “removing suspected violators from further patient contact” while hospital officials conduct a review. Hospitals may be required to come up with a corrective plan if the department’s investigation finds problems.

But the allegation brought to police in 2017 involved an appointment with Ortega at an Endeavor clinic — not at a hospital. And state law does not require clinics and independent doctors’ offices to report allegations of abuse to the public health department.

The federal Centers for Medicare & Medicaid Services requires many medical facilities — including the two clinics where Ortega mostly practiced — to protect patients from abuse, and facilities can be cited for failing to do so. Federal records do not show any patient abuse citations against Endeavor related to Ortega.

The federal agency did cite Endeavor late last year after a woman alleged sexually inappropriate conduct by a patient care technician at Evanston Hospital. An investigation by the state health department found in October that the hospital did not have a written system in place for handling sexual abuse allegations. Endeavor submitted a corrective plan that included enhanced training and a new policy on how to handle sexual abuse allegations.

In a statement to the Tribune, Endeavor said its hospitals already had written policies and processes on how to handle abuse allegations. "Nevertheless, we did update our policy to add specific information in the written policy for escalating allegations of 'sexual abuse,'" the statement said.

Endeavor has never publicly announced changes in its policies or procedures related to what happened with Ortega. And in addition to the confidential settlements reached with his patients, the Tribune found attorneys for Endeavor have also sought to control what information about lawsuits is accessible to the public before they are settled.

Court records show that, at a May 2023 court hearing related to the civil cases, a lawyer for Endeavor raised concerns about former patients of Ortega's having "been to the media." The judge then issued a verbal protective order that "prohibits any dissemination" of discovery documents in the case except to the attorneys and certain others involved.

One of the pending cases the judge and attorneys continue to discuss is Victoria's — the woman who alleges Ortega assaulted her in July 2017, months after Endeavor became aware the doctor was under police investigation.

Victoria was uncomfortable about going to that July appointment, she said in an interview. At an appointment with Ortega eight months earlier, she contends in her lawsuit, he asked her questions about her orgasms and sexual history while touching her intimately.

But by July she needed to visit a gynecologist urgently, she told the Tribune. In her lawsuit, Victoria alleges that she asked if her partner could go into the exam room with her but was told no.

“The least they could have done was have someone in the room with me,” Victoria told the Tribune. “Protect him or protect me, but take a stance and have a chaperone there. I don’t think that’s asking too much.”

When Victoria learned in April 2023 that Ortega had pleaded guilty to sexual abuse, she understood that she too had been harmed by him, according to her lawsuit.

Victoria realized she wasn’t alone, she told the Tribune — she wasn’t the only one who felt victimized by Ortega and Endeavor. She decided to reach out to Holder, the attorney, and file a lawsuit.

Her lawsuit is, at the moment, the only pending lawsuit against Endeavor and Ortega, after 21 others settled. Five lawsuits against Ortega and/or Swedish Hospital are also still pending.

Two of the settled lawsuits were filed by women who, like Victoria, alleged that Ortega sexually assaulted them at Endeavor facilities while he was under police investigation in 2017.

“I would like to see (Endeavor) held accountable since they knew, and did nothing about it to protect me,” Victoria said. “It’s an abuse of power. It’s looking the other way.”

Help the Chicago Tribune report on medical misconduct

The Tribune hopes to continue reporting on how hospitals and other medical institutions respond when patients report instances of sexual misconduct by health care providers.

*If you have information to share, please fill out this form.
Responses will not be published without your permission.*

Name (required)

Email (required)

Are you reaching out as a patient or a provider? (required)

Patient

▼

Please summarize the incident that was reported, including the hospital system or medical office where it occurred. Be as detailed or as general as you are comfortable. (required)

To whom did you report the incident? Please describe the response you received. (required)

Have you kept any records related to the incident, such as a written complaint, medical records or emails with hospital officials? (required)

Are you comfortable with a Tribune reporter reaching out to you? (required)

Yes

Is there anything else you think we should know?

Submit

Originally Published: March 3, 2024 at 5:00 AM CST

RECOMMENDED FOR YOU

1



**Chicago Bears
Q&A: Has the
dynamic**

Thursday, January 9

2



**Biden casts
doubt on his
fitness to serve**

Wednesday, January 8