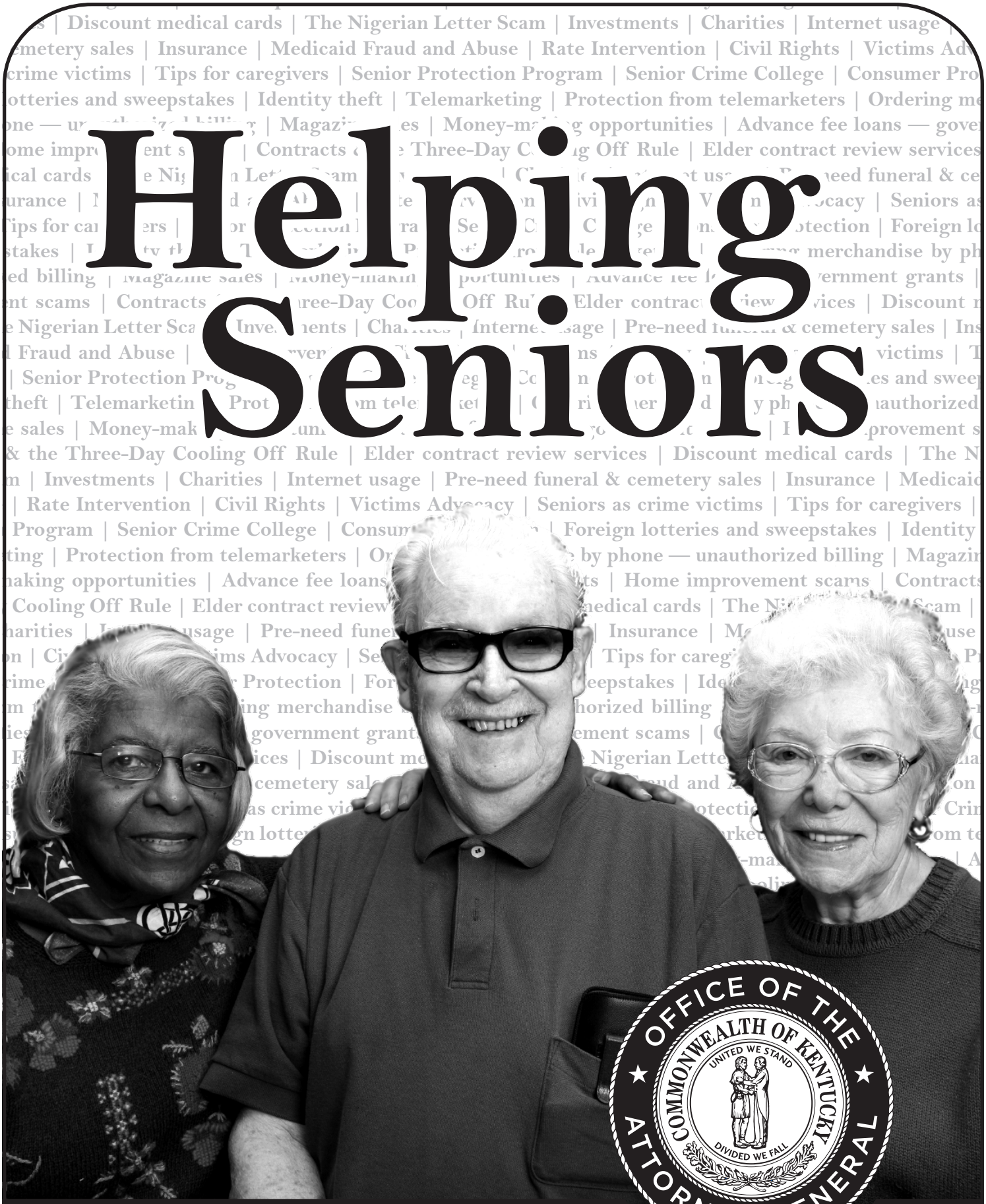
Helping Seniors



COMMONWEALTH OF KENTUCKY

OFFICE OF THE ATTORNEY GENERAL

ANDY BESHEAR

REVISED: JANUARY 2016

Dear Friends:

As a senior citizen, you are a valued member of our Commonwealth. You have lived your life with respect and dignity and expect others to do the same. Unfortunately, as we age, we become targets for criminals who specialize in scamming senior citizens. Often the crimes go unreported because seniors may be too embarrassed to notify family members or the authorities.

You have earned the right to feel safe in your home. The Office of the Attorney General is happy to provide you with this revised booklet to acquaint you with some of the common scams targeting senior citizens. It includes tips on how to prevent becoming a victim and offers helpful information about how to report a possible scam.

I know this booklet will serve as a useful tool and I hope you'll share this information with friends and family. If you need assistance with a consumer problem, I urge you to contact my office or one of the organizations listed in this book. Thank you for joining me in this effort to protect seniors. Working together, we can keep Kentucky families safe.

Sincerely,

Andy Beshear
Attorney General

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Consumer Protection Division

The Consumer Protection Division was established to help protect consumers from unfair, false, misleading and deceptive trade practices and to assist consumers with marketplace complaints. If you have a problem with a product, service or merchant, first contact the store where you made the purchase. It is often more effective to put your complaint in writing to the merchant and indicate what you wish the merchant to do to resolve your problem. If you cannot get the matter resolved, contact the Attorney General's Consumer Protection Hotline at **888-432-9257** to request a complaint form or download a complaint form at **www.ag.ky.gov/family/consumerprotection/complaints**.

The official consumer complaint form requests specific information that the Office of the Attorney General will need in order to evaluate your complaint. The Attorney General cannot represent you in any private legal matter. However, the Attorney General can initiate court action when there are alleged violations of the Consumer Protection Act and it is determined to be in the best interest of citizens of the Commonwealth. These actions usually involve a large number of consumers. In some cases, the Attorney General can seek criminal charges against fraudulent businesses.

In addition, the Division serves consumers by educating them concerning their rights and responsibilities and warning consumers about the latest scams. Regrettably, many Kentuckians still fall prey each year to disreputable businesses, repair shops, home-improvement contractors, telemarketers and many other scams. Unfortunately, many of these crooked individuals seem to target senior citizens as their victims.

This booklet lists some of the ways that seniors can fall victim to scams and unfair business practices and offers ideas on how you can protect yourself.

Foreign Lotteries and Sweepstakes

Have you ever been contacted by phone or letter announcing that you are the winner of a large sum of money? A major concern within the Office of the Attorney General involves lotteries and sweepstakes offers that are promoted to the seniors of Kentucky and don't live up to their promises.

Foreign lotteries and sweepstakes are illegal in Kentucky, but are often promoted through the mail, telemarketing and the Internet. They always require you to send money, usually through a wire service, to areas out of the country such as Canada, Spain, and Costa Rica. But beware, some request that you wire the money within the United States!

Sweepstakes offer money, valuable prizes or discounts, usually as an enticement to buy a product or listen to sales pitches for other goods or services. In fact, your chances of winning are usually very small. An alarming number of seniors have lost their entire savings by repeatedly entering sweepstakes in hopes of improving their slim chances of winning valuable prizes.

Always be wary when told you have won a major prize. If you receive a sweepstakes or lottery offer, follow these tips to protect yourself:

- ✓ Never send any money in order to participate. By law, any sweepstakes must allow you to enter without making a purchase. It is illegal to treat participants who make a purchase more favorably than those who don't send money. A legitimate sweepstakes does not require you to purchase anything.
- ✓ Beware of any caller who claims to be an IRS official, a bank official or a U.S. Customs agent announcing that they are "holding your prize check" until a fee is sent to release the funds. This, too, is a hoax.
- ✓ Beware of sweepstakes that require you to send up front "fees" for delivery, deposits, taxes or shipping in order to claim your prize. This is against the law. DO NOT send any money by Western Union or any other service to anyone claiming that you have won a sweepstakes. YOU WILL NOT receive any money in return and will only be asked to send more each time you are contacted.
- ✓ Remember, when you enter a sweepstakes, these entries are also being used to develop mailing lists or calling lists. By responding to these sweepstakes, your junk mail and calls will increase.
- ✓ Beware of sweepstakes or lottery promoters who claim that you have won and then send you an official looking prize check for deposit in your bank account. Although your bank may hold the check for several days, the sweepstakes promoter may require you to send "fees" immediately by certified check or through a wire service. Do not send any money. The bank will finally determine that the check is a fake and will hold you liable for the funds! Furthermore, your money is unlikely to be recovered.
- ✓ Beware of sweepstakes that require you to fill out puzzles or other games and pay a fee to have your puzzle "judged". These small fees can add up to large amounts. Furthermore, this places your name on more mailing lists, which causes you to be an easy target for future frauds.
- ✓ Never give your credit-card, social-security or bank-account number to someone you don't know.
- ✓ When calling an 800 number to claim a prize, watch out for hidden costs. These calls can often cost a great deal more than regular toll calls. Don't call a 900 number to claim a prize.
- ✓ Watch out for sweepstakes offers urging you to "act immediately."

- ✓ Never purchase the products offered in order to increase your chances of winning a sweepstakes. It won't happen!
- ✓ Beware of Internet sweepstakes and lotteries. If you respond to these bogus offers, you may lose money and increase the amount of junk email you receive. You should just delete them!

It's almost always better to take your time, weigh your options carefully and avoid being scammed. If you are scammed, be wary of unsolicited calls to help you recover your lost money. These "recovery room" operations, which often claim to work with government agencies, are likely working hand in hand with the original scammers.

If you can't afford to lose it, DON'T send it! Enforcement powers are often limited in sweepstakes and lottery scams. Your best protection is prevention!

Immediately report any money that you have sent to sweepstakes or lottery promoters to your bank or credit card company and to the Office of the Attorney General. Time is crucial. The Attorney General's Consumer Hotline number is **888-432-9257**. If money was sent by a money wiring service, such as Western Union, keep your receipt and call the service immediately! If the money has not been picked up, the transaction may be stopped. Please be aware that your money will probably not be recovered if wired to another country, but your report may save someone else from being victimized. Canadian scams may also be reported to **www.PhoneBusters.com** or **888-495-8501**.

What to do

To cut down on "junk mail," resist the temptation to respond to sweepstakes offers. Additionally, send your name and address to:

Mail Preference Service
Direct Marketing Association
PO Box 282
Carmel, New York 10512

Request that your name be removed from all current and future mailing lists. There is a $1.00 fee for this service, which verifies your registration. You may send a $1.00 check or money order payable to DMA. Do not send cash.

You may also register online at **www.dmachoice.org**. The registration is effective for three years. To reduce unwanted telephone sales calls, enroll on the National Do Not Call Registry by calling **888-382-1222**, or register online at **www.donotcall.gov**. You must call from the number you wish to register and you may also register your cell phone number on the National Do Not Call Registry.

Identity Theft

Identity theft occurs when someone steals your identity by using personal data about you

such as your name, social-security number, date of birth and financial information. Identity theft is the fastest growing crime in the United States, and everyone is a potential victim.

Identity thieves can hurt you by:

- ✓ Opening credit accounts in your name or using your existing accounts to run up charges;
- ✓ Establishing phone or wireless service in your name;
- ✓ Opening bank accounts in your name and writing bad checks;
- ✓ Obtaining loans in your name, which are never repaid, thereby ruining your credit rating;
- ✓ Buying cars in your name or obtaining tax refunds in your name;
- ✓ Using your name when committing crimes or driving offenses resulting in warrants being issued in your name.

Tips on how to protect yourself from identity theft:

- ✓ Do not give out any vital information, such as your birth date and social-security number, to solicitors (especially by telephone) or retailers who do not need the information.
- ✓ Do not dispose of any personal identifying documents (prescriptions, receipts, bank-deposit slips, pay stubs, expired credit-cards, insurance policies, or credit-card applications) without first shredding or destroying the material.
- ✓ Do not respond to emails from what appears to be your bank, credit-card company or other institution claiming they need your information for verification purposes. Call your bank or credit-card company directly at a number provided on your statement or in your telephone directory.
- ✓ Order a copy of your credit report from each of the three major credit bureaus to check for fraudulent accounts and to monitor your bureau report. You may obtain a FREE credit report from each of the three bureaus once every 12 months upon request. Get it online at **www.annualcreditreport.com**, by calling toll free **877-322-8228**, or by completing an Annual Credit Report Request Form and mailing it to:

  Annual Credit Report Request Service
  P.O. Box 105281
  Atlanta, GA 30348-5281
- ✓ Read and understand privacy and security policies before providing any personal information on Internet sites.

- ✓ Secure personal information in your home.
- ✓ Reduce unsolicited credit-card applications coming to your home by calling **888-5-OPT-OUT (888-567-8688)** or visit **www.optoutprescreen.com**. (Please be aware that you will be required to provide your social-security number).

If you have been a victim of identity theft, or suspect that someone is using your name and personal-identification number, obtain a copy of your credit report and put a "Fraud Alert" on your credit-bureau account. This will help prevent someone from obtaining future credit in your name. To put an alert on your account, you need only contact one of the following national credit bureaus:

Trans Union, **800-680-7289**, **www.transunion.com**
Equifax, **800-525-6285**, **www.equifax.com**
Experian, **888-EXPERIAN (888-397-3742)**, **www.experian.com**

Please be aware that placing a fraud alert on your credit bureau account may make it more difficult or inconvenient for you to obtain instant credit. Extra precautions will be taken by the bureaus before releasing information to creditors regarding your account.

In addition, you may want to consider placing a "security freeze" on your account. This service prevents any potential creditor from even accessing your credit report without your consent. However, it also makes it more time consuming for you to obtain credit as well. So, you should carefully consider your options before a placing a "security freeze" on your account. There is also a charge of up to $10.00 for this service. Credit bureaus may also charge you up to $10.00 for temporarily lifting the service at your request to authorize a creditor to access your file. Additional information about "security freezes" may be obtained at the websites listed above or by calling:

TransUnion Security Freeze – **888-909-8872**
Equifax Security Freeze – **800-685-1111**
Experian Security Freeze – **888-397-3742**

If you are a victim of identity theft you should also contact the following:

- ✓ The law-enforcement agency that has jurisdiction where the crime occurred and where you live. Ask for a report to be filed regarding your identity theft. You may need to provide copies of this report when disputing accounts that do not belong to you.
- ✓ Your creditors, credit-card companies, banks and financial institutions.
- ✓ The Kentucky Bureau of Investigation by calling 502-696-5367. You may obtain a free step-by-step Identity Theft Victim Kit by calling the ID Theft Hotline at 800-804-7556. You may also write to the KBI:

Office of the Attorney General
Kentucky Bureau of Investigation
1024 Capital Center Drive
Frankfort, KY 40601

Telemarketing

Unsolicited telephone calls

Seniors often find it difficult to say "no" to unsolicited callers and may purchase items or services that they really do not need or want. These "pitches" often use high-pressure sales tactics and offers that can sound too good to be true. These calls are a nuisance, but many can be avoided.

The National Do Not Call Registry

The National Do Not Call Registry maintains the Kentucky No Call List. If you wish to add your residential and/or cellular telephone number(s) to the Do Not Call List, you must contact the Federal Trade Commission at **888-382-1222**. You must call from the number you wish to register. You may also register online at **www.donotcall.gov**.

More information about the federal telemarketing law may be obtained by visiting the website of the Federal Trade Commission at **www.ftc.gov** or the Federal Communications Commission at **www.fcc.gov**.

Exemptions to Kentucky's No-Call Law

If your phone number is on the No Call List, telemarketers are restricted from calling you. Although the No-Call Law significantly reduces your telemarketing calls, there are some exemptions in the law that do allow the following calls:

- ✓ Telemarketers with whom you have a prior or existing business relationship;
- ✓ Telemarketers who have received an express request from you to call;
- ✓ Telemarketers with whom you have an existing debt or contract;
- ✓ Telemarketers soliciting only donations for charities;
- ✓ Telemarketers who call your business; and
- ✓ Political calls and telephone surveys or polls.

It is important that you recognize these exemptions and know that these entities may still call you. You can further reduce your calls from these types of telemarketers by asking these exempt callers to remove your name from their calling lists.

To avoid calls from companies claiming that you gave permission to call, be careful

when responding to sweepstakes or prize notifications. You may unknowingly authorize the company to contact you just by signing their sweepstakes forms. Sometimes this authorization appears in fine print, which you may not notice.

Protection From Telemarketers

Other provisions of the law

In addition to the No Call List, Kentucky's Telephone Solicitations Law (KRS 367.46951) also contains other provisions that you should know about telephone solicitations:

- ✓ Limits calling hours for telemarketing calls between the hours of 10:00am – 9:00pm;
- ✓ Requires a telemarketer to begin every call by identifying himself within the first 30 seconds and to ask if you are interested in hearing a sales presentation. If not, he shall immediately discontinue the call;
- ✓ Allows you 14 days after receipt of the goods to cancel any oral agreement reached during a telephone solicitation. If a contract is signed, you must be given a written notice explaining your cancellation rights;
- ✓ Restricts a telephone solicitor from requesting or accepting payment from you or submitting any charge to your credit card or making an electronic funds transfer until a written contract is signed, or until you have kept the merchandise past the 14-day cancellation period; and
- ✓ Prohibits the use of an artificial or pre-recorded voice to deliver a message by phone.

Dangers of telemarketing fraud

Even if you are on the No-Call List, you could receive telemarketing sales calls that are fraudulent.

Remember, if you are solicited by phone:

- ✓ Never give out your credit card, bank account, birth date or social-security number;
- ✓ Ask detailed questions and get all information in writing. If a telemarketer is unwilling to provide you with specifics in writing, be suspicious;
- ✓ Do research on the company. Check with the Office of the Attorney General and the Better Business Bureau for complaints filed against the telemarketer;

- ✓ Take your time in making decisions. Watch for pressure to make a commitment at once;
- ✓ Remember, they called you. Don't be afraid to say no, or hang up;
- ✓ Ask the caller to put your name on the company's internal "Do-Not-Call List". By federal law, they must do so; and
- ✓ Consider making it a rule in your home that you do not do business over the telephone. Ask that all information be sent to you by mail.

Filing a telemarketing complaint

If you are on the No Call List and you receive a telemarketing call, ask questions. The Office of the Attorney General will need the following information to investigate violations of the No-Call Law.

What you need to file a complaint:

- ✓ Name of caller
- ✓ Name, address or phone number of the company
- ✓ Time and date of call
- ✓ Subject of the call or product or service being offered
- ✓ Any other information you can obtain

Your documentation is very important. Report your complaint to the Office of the Attorney General by following the instructions on how to file a complaint.

How to file a complaint:

1. Call the toll-free Telemarketing Hotline at **866-877-7867**.
2. Submit a complaint online at **www.nocall.ky.gov**.
3. Mail a written complaint to:

   Office of the Attorney General
   ATTN: No Call
   1024 Capital Center Dr. , Suite 200
   Frankfort, KY 40601

Telemarketing fraud is a crime and should be reported. Do not be embarrassed or ashamed. Your report could assist the Office in prosecuting the fraudulent telemarketer and help others avoid being victimized.

Slamming

Slamming has occurred when a consumer finds that his or her long-distance phone carrier

has been switched, usually without permission, to another company that may charge exorbitant rates.

Some phone companies have used lures such as "reward" checks that, when deposited into your checking account, authorize a switch in your long-distance service. Also, if you sign up for a prize promotion, you may be unknowingly authorizing your long-distance service to be changed. Be careful and read the fine print on all prize promotions.

Slamming is illegal and you should report this to the Public Service Commission at **800-772-1213**.

Cramming

Cramming is billing for unauthorized services on your local phone bill. This practice became known as "cramming" because, in some cases, the charges are "crammed" or positioned in your bill in such a way that they may be easily overlooked. Common examples may include the following:

- ✓ Charges for calls not made or calls placed to apparently toll-free numbers or 900 numbers;
- ✓ Charges for services that are explained only in general terms such as "voice-mail" or "calling plan" or "membership";
- ✓ Charges for "800 number service"; and
- ✓ Charges identified as "monthly fee" that appear on a monthly basis.

In some cases, the charges are slipped into the bill intentionally by service providers in hopes that consumers won't notice. In others, consumers unknowingly authorize a new service or call as a result of simply accepting a collect call, filling out a sweepstakes or raffle ticket or responding to voice prompts in the course of placing a call.

How to protect yourself

The following are some tips that consumers can follow to protect themselves from being slammed or crammed:

- ✓ Carefully review your telephone bill every month. Look for company names you do not recognize, charges for calls you did not make, and charges for services you did not authorize. Keep in mind that you may sometimes be billed legitimately for a call you placed or a service you used, but the description for the call or service may be unclear. Make sure the long-distance carrier shown is the one you chose.
- ✓ Be careful to only allow others, especially minors, to use your telephone for calls and services you authorize.

- ✓ You can ask your local phone company to “block” or “freeze” your phone line to prevent switching of long-distance carriers without your written consent. Contact your local phone company’s billing office for more information.
- ✓ Carefully read all forms and promotional materials, including the fine print, before signing up for telephone services.
- ✓ Keep a record of the telephone services you have authorized and used, including calls placed to 900 numbers and other types of information services. These records can be helpful when billing descriptions are unclear.
- ✓ Do not divulge personal information, such as telephone, credit-card or social-security numbers on sweepstakes or raffle tickets. This information is not always secure and may be used for reasons other than intended.
- ✓ Keep a copy of any applications you fill out. You will have to reference them in the event of a dispute.
- ✓ Avoid filling out entries for contests that seem vague or do not disclose all the ways the entry information is to be used.
- ✓ Do not accept collect calls from unfamiliar persons.
- ✓ Beware of faxes, e-mail, voice mail and pages requesting a return call to an unfamiliar number.
- ✓ Beware of answering “yes” to an unsolicited caller who uses your name to ask if he/she has reached the correct party. The caller could be recording the conversation and using your “yes” response to falsely authorize a change of service to your phone. A better response to the caller would be, “Who are you trying to reach?” or “Who’s calling?”
- ✓ Know the area code of the location that you are dialing. If you are unfamiliar with the area code, consult your local telephone directory.
- ✓ Pay close attention to voice prompts on a call. They may be asking you to accept charges for the call or other services.
- ✓ Companies compete for your telephone business. Use your buying power wisely and shop around. If you think that a company’s charges are too high or that its services do not meet your needs, contact other companies and try to get a better deal.

- ✓ If your local telephone company is not able to help you with "cramming" problems, you may need to contact the company directly to dispute the charges or file a complaint with the Attorney General's Consumer Protection Division.

Ordering Merchandise by Phone — Unauthorized Billing

If you order merchandise from television ads or call a company in response to an ad you have received by mail or have seen in a magazine, beware of any unauthorized charges that could appear on your account or funds that could be withdrawn from your bank account. It happens when companies take your initial order for the product and obtain your billing information. Then the company may tell you about additional products or services, such as discount travel clubs, coupon offers, etc. and offer you a free trial period in which to try the product or service. Even if you refuse the offer, your credit card could be billed or your bank account drafted for the amount of the offer. Sometimes you are automatically billed when there has been no other mention of additional products or services. Additionally, beware of "free trial offers" whereby you think you are only paying for the shipping and handling of the product, but the company often automatically enrolls you in monthly delivery program for which you are unaware.

If you have been a victim of this unauthorized billing scheme, contact your credit card and/or your bank immediately. Contact the company to try to remedy the situation. If you are unable to get the matter resolved, contact the Consumer Protection Division at **888-432-9257**. Remember to always check your bank statements and credit-card statements for unauthorized debits or withdrawals. You only have 60 days to dispute the charge or debit once it appears on your statement.

Magazine Sales

Beware of offers for magazines by telemarketers or from your response to an "important notice" you may have received by mail. Often these offers result in your agreeing to extended subscription periods without your realizing it. You may think that you are paying on a weekly or monthly basis for your magazine, but the company withdraws from your account or bills your credit card an amount equal to a two- to five-year subscription rate. Often this results in overdrafts to your bank account. If you have been a victim of this common scheme, contact your bank or credit-card company immediately. Also contact the Attorney General's Consumer Protection Division.

If someone comes to your door selling magazines, ask if he or she has registered with the County Clerk's office as required by law. Call to verify any information.

Money-Making Opportunities

Work-at-home schemes are often offered in the classified section of your newspaper. The company offers money for you to work from your home. Common ploys include stuffing

envelopes, processing medical-billing papers for insurance or reading children's books. These offers never produce the income as promised. Furthermore, the company requires you to pay a fee in order to obtain information about the money-making opportunity. The information is often worthless and misleading.

Beware of new scams

A new scam, which claims that you can make easy money, involves processing checks or money orders from unknown sources, depositing the funds into your personal account and then wiring a portion of the funds to individuals unknown to you. You end up losing money, because the checks or money orders are counterfeit, and you are liable to the bank for the funds.

Also beware of "Secret Shopper" scams whereby you are led to believe you have been hired to evaluate the customer-service procedures for Western Union or Money Gram. You are instructed to cash a check provided to you and then wire money using the wiring service in an effort to "evaluate their customer service." Once again, the checks will prove to be counterfeit, and you will be liable.

Advance Fee Loans — Government Grants

Beware of any offer, especially in the classified section of the newspaper, for loans for a fee. These loans are illegal and should be reported to the Consumer Protection Division immediately. In addition, beware of ads or phone calls that promise guaranteed government grants. These bogus ads and calls require you to send up-front money, often as much as $600 or more, in order to obtain more information. Typically, this information is never mailed to you. Your bank-account information may also be requested so that the "grant money" can be deposited directly into your account. Instead, money is withdrawn without your authorization.

Some ads may also promise you a credit card even if you have bad credit. Beware of the up-front charges associated with these cards. Often they are not a Visa or Mastercard, but merely a credit card with which you can order merchandise from a catalog provided by the issuer of the card. The merchandise is usually overpriced and of poor quality.

Home-Improvement Scams

If you own your own home, beware of common scams. Often seniors are the targets of these scams.

- ✓ Watch for home-improvement contractors who come to your home unsolicited to inform you that you need expensive repair work, such as roof or driveway damage that you never noticed. Many times these salesmen will offer you a special "deal" because they say they have material left over from another job in your neighborhood.

- ✓ If you are suspicious or feel afraid, call your local law-enforcement department immediately. Make note of the vehicle description or license number and the individual who approached you.
- ✓ If you paid the suspicious workers by check, call your bank immediately to stop payment on it.
- ✓ "Limited time offers" and high-pressure sales pitches can be come-ons to a scam.
- ✓ Get at least three estimates from local, reputable contractors. Make sure all costs are covered in the estimate, including the down payment, finance charges, building-permit fees, installation costs and all materials. It can't hurt to shop around and it might save you money. But, watch out for deals that seem too good to be true.
- ✓ Don't agree to financing through your contractor without shopping around and comparing loan rates and terms, and don't agree to a home-equity loan if you can't make the monthly payment. You could lose your home.
- ✓ Always ask for references and contact them before you sign a contract. Also, check with banks and suppliers used by the contractor to determine whether or not bills are paid in a timely manner.
- ✓ Check with friends and neighbors who may have contracted for similar work. Contact the Office of the Attorney General and your local Better Business Bureau to see if there are any complaints lodged against the contractor.
- ✓ Get any promises in writing, and, if you can, ask a lawyer to review the terms of a written contract before you sign. If you don't get it in writing, you may give up important legal rights. (See the Elder Contract Review Service information offered by the Better Business Bureau included in this booklet.)
- ✓ Be wary of demands for hefty down payments. Many contractors will ask for a good-faith deposit, but most reputable contractors will bill you after the work is done, not before.
- ✓ Don't be pressured into paying additional fees after work has started. If you feel threatened, don't surrender your rights. Call the police.
- ✓ Don't pay unreasonable advance sums. Negotiate a payment schedule tied to the completion of specific stages of the job done to your satisfaction. Never pay the full price up front.

- ✓ Make sure your contract includes specific work to be completed, materials to be used, estimated start and completion dates, and clean up provisions.
- ✓ Ask if subcontractors will be used. If so, check them out too. Do they have insurance?
- ✓ Know your rights. You MAY have three days to cancel after signing a contract for home improvements IF the initial contact was unsolicited in your home. You must be given a copy of this cancellation policy. All cancellations must be in writing, so calling the contractor does not serve as official notice. Send this written notice certified mail if possible and keep a copy for your records. IMPORTANT NOTE: If YOU initiated the contact for the work to be done, you DO NOT have the same right to cancel.

If you are dissatisfied with the work performed, first attempt to resolve the problem with the contractor. Allow him/her time to correct problems and repair defects. If the contractor does not make the corrections to your satisfaction, contact:

Office of Attorney General
Consumer Protection Division
1024 Capital Center Drive, Suite 200
Frankfort, Kentucky 40601
888-432-9257 (Consumer Hotline)

But remember, poor workmanship is not a violation of the law. Your matter may need the attention of a private attorney.

Contracts & the Three-Day Cooling Off Rule

Seniors should be aware that there is NOT an automatic three-day period (or three-day cooling off period) in which to cancel a contract. However, if the sale falls within the guidelines of the federal Three-Day Cooling Off Rule, you will have cancellation rights. This Three-Day Cooling Off Rule is limited to sales at the buyer's home or workplace or at facilities rented by the seller on a temporary or short-term basis (such as hotel or motel rooms, convention centers, fairgrounds and restaurants.)

The rule gives you three days to cancel purchases of $25 or more. Under the Three-Day Cooling Off Rule, your right to cancel for a full refund extends until midnight of the third business day after the sale.

Keep in mind that Saturday is generally considered a business day. Under the Cooling-Off Rule, the salesperson must tell you about your cancellation rights at the time of sale. The salesperson also must give you two copies of a cancellation form (one to keep and one to send) and a copy of your contract or receipt. The contract or receipt should be dated, show the name and address of the seller and explain your right to cancel. The contract or receipt

must be in the same language that's used in the sales presentation.

Some exceptions

Some types of sales cannot be canceled, even if they do occur in locations normally covered by the rule. The Three-Day Cooling Off Rule does not cover sales that:

- ✓ are under $25;
- ✓ are for goods or services not primarily intended for personal, family or household purposes (the Rule does apply to courses of instruction or training);
- ✓ are made entirely by mail or telephone;
- ✓ are the result of prior negotiations at the seller's permanent business location, where the goods are regularly sold;
- ✓ are needed to meet an emergency (i.e., suppose insects suddenly appear in your home and you waive your right to cancel);
- ✓ are made as part of your request for the seller to do repairs or maintenance on your personal property (however, if additional purchases are made beyond the maintenance or repair initially requested, these purchases may be covered);
- ✓ are for real estate, insurance, or securities;
- ✓ are for automobiles, vans, trucks or other motor vehicles sold at temporary locations, provided the seller has at least one permanent place of business; and
- ✓ are for arts or crafts sold at fairs or locations such as shopping malls, civic centers, and schools.

How to cancel

To cancel a sale, sign and date one copy of the cancellation form. Mail it to the address given for cancellation, making sure the envelope is post-marked before midnight of the third business day after the contract date. (Remember, Saturday is considered a business day; Sundays and federal holidays are not.) Because proof of the mailing date and proof of receipt are important, consider sending the cancellation form by certified mail so you can get a return receipt. Or, consider hand delivering the cancellation notice before midnight of the third business day. Keep the other copy of the cancellation form for your records.

If the seller did not give cancellation forms, you can write your own cancellation letter. It must be post-marked within three business days of the sale. You do not have to give a reason for canceling your purchase. You have a right to change your mind.

This Three-Day Cooling Off Rule is often misunderstood by consumers, as many believe

the law includes the right to cancel any purchase.

Elder Contract Review Services

If you are a senior and are confronted with a contract (mortgage, home improvement contract, etc.) that you feel may be questionable, or you do not understand the terms of the contract, you may receive help in making these important decisions. The Better Business Bureau offers the Elder Contract Review Services (ECRS) whereby seniors can obtain advice from legal professionals when they otherwise do not have access to such service. By doing so, the program serves as a deterrent against those who would financially exploit seniors. It also presents a means of reporting perpetrators of elder abuse to law-enforcement agencies. For more information, call the ECRS Hotline at **502-588-0035** or **800-388-2222**.

Discount Medical Cards

If you are enrolled in Medicare, you may also enroll in a discount prescription drug card endorsed by Medicare. But, beware, con artists are using this program as an opportunity to scam unsuspecting seniors. Beware of any company claiming to be an authorized supplier of the Medicare discount prescription card who contacts you directly to ask for personal information, such as your social-security number or your birth date. This could be a con artist seeking to steal your identity. Medicare will not call to solicit you to enroll in this program. For more information on the discount cards, you should contact the Kentucky Health Insurance Information Program at **877-293-7447** or contact Medicare at **800-MEDICARE** (**800-633-4227**).

In addition to bogus Medicare discount prescription cards, beware of companies who advertise in newspapers, through the mail, by fax or on the Internet offering discount health-care plans. The companies may offer a wide range of services, including vision and dental care for a minimum monthly cost. Investigate these companies thoroughly. More than likely it is a NON-INSURANCE product and is not regulated by Kentucky's Office of Insurance. If it is not an insurance product, the company's advertising material must state this in print. Often the consumer who enrolls finds that his or her physician or pharmacist does not accept these discount non-insurance cards, and the consumer is left without coverage. The Office of the Attorney General has received several complaints regarding these companies. If you are without healthcare coverage and are considering a discount medical plan such as this, contact the Office of the Attorney General before making a purchase.

The Nigerian Letter Scam

Beware of the Nigerian Letter Scam, which can reach you by mail, email or fax. This is a ploy where a resident of a foreign country asks for your assistance in transferring millions of dollars from his country to your bank account. If you allow this unknown person access to your bank account, he promises to share with you a percentage of the transferred

funds. Instead, your money is transferred OUT of your bank account, and you end up with nothing! The scam has many variances, ranging from the money being left from "contract overages" that they will share with you, to "widows" asking for your assistance to get money and children out of the country to protect them from corrupt government officials. More recently, the scam artist indicates that you are an heir to an estate and requests your personal information so that they may transfer funds to you. You should disregard all such notices. You may also forward unwanted or unsolicited emails/spam of this type to the Federal Trade Commission at **spam@uce.gov**.

Investments

Unfortunately, many senior citizens are vulnerable to con men and fast-talking brokers who are far too eager to separate investors from their life savings. In order to protect yourself and your savings, follow these tips before investing:

- ✓ Be wary of unsolicited phone calls and letters;
- ✓ Always demand written information and read it carefully;
- ✓ Be suspicious of "insider information," "hot tips," or "rumors" (also be suspicious of investments that cannot be fully explained by the seller);
- ✓ Never be afraid to ask questions or say that you don't understand;
- ✓ Don't give in to high-pressure sales tactics;
- ✓ Don't believe promises of doubling or tripling your money in a short time; and
- ✓ Deal only with established brokers. Check with the Office of Financial Institutions at **800-223-2579** about any investment opportunity or to check on a broker.

Living Trusts

A living trust lets you arrange how you want your property managed while you are alive and how your assets should be distributed after your death. Living trusts are popular because they are one way your property can pass to your heirs without going through probate. Be aware, however, that these trusts may not be for everyone. You should beware of salespeople who aggressively promote living trusts and who claim that you can save thousands of dollars by purchasing their living trust. Many are "cookie-cutter" documents that may not suit your individual needs. Once your assets are disclosed to the seller of the living trust, you may be approached by insurance companies and investment companies that encourage you to invest your money in annuities or other plans offered by the companies. BEFORE you commit to a living trust sold by an unknown individual, you should seek the advise of a local professional or attorney who specializes in estate planning and can assist you with your individual needs.

What to do

Before you invest, do your homework. Contact the Office of the Attorney General and your local Better Business Bureau. Read the fine print on contracts. Immediately report any suspicious or fraudulent activity to the Attorney General's Consumer Protection Hotline at **888-432-9257**.

Check with the Office of Financial Institutions or the Attorney General's Consumer Protection Division for information about brokers. When in doubt about an investment, don't make a commitment before you feel comfortable. It's better to lose an "opportunity" than to act hastily and lose the money you have worked so hard to save.

The Office of Financial Institutions is the state's principle regulator of securities, dealers and brokers. Report any suspicious or fraudulent activity to the Office of Financial Institutions at **502-573-3390** or **800-223-2579**.

Every licensed broker is required to register with the Division of Securities. In addition, the Division of Securities keeps track of all disciplinary actions taken against brokers by other agencies, including the federal Securities and Exchange Commission.

Charities

Kentuckians generously donate their time and money to hundreds of deserving charitable organizations. However, some organizations use fraudulent and deceptive means when soliciting the public for contributions. Moreover, some charities use paid professional solicitors who receive a large percentage of the contribution. Finally, some charities may spend a large percentage of their income on administrative and fund raising expenses, rather than on their charitable programs. If you choose to give, give wisely.

Kentucky law requires a professional solicitor, who is soliciting funds on behalf of a charity, to register with the Office of the Attorney General, post a bond and submit to a background check to assure that there are no felons soliciting funds. In addition, solicitors must tell you that they are paid solicitors and for what charity they are collecting funds.

The law requires a professional solicitor to tell you what percentage of your dollar is actually going to the charity if you ask. They do not have to volunteer the information. Consider asking for this information. Often this percentage may be very high and the charity itself may receive only a small percentage. You can verify the percentage by calling the Office of the Attorney General at **502-696-5389** or visit online at **www.ag.ky.gov/family/consumerprotection/charity**. You can also get answers to other questions that concern you, before you donate.

Charitable campaigns being conducted by volunteers or by the charities themselves are not listed because they are not required to register. You may find their records at some of the following websites:

www.give.org/guide
www.guidestar.org
www.charitynavigator.org
www.nonprofits.org
www.foundationcenter.org

Questions to Ask When Solicited

Unless you are already familiar with and support an organization, do not promise you will contribute to its cause whether you are called on the phone or solicited in person. Instead, ask:

- ✓ What is the full name, address and phone number of the charity? Write it down.
- ✓ Do you work for the charity or are you a paid fund-raiser? Write it down.
- ✓ How much of my donation will go to the charity?
- ✓ How much does the fund raiser get paid?
- ✓ Is the charity/professional solicitor registered with the Office of the Attorney General? What is the registration number? Write it down.
- ✓ For what purpose will my contribution be used and is my contribution tax deductible?
- ✓ What percentage of its total income does the charity spend on its charitable purpose?

Tips

- ✓ Never give personal information, such as your social-security number, bank account information, credit-card numbers, birth date or mother's maiden name to anyone you don't know.
- ✓ Request literature explaining the charity's purpose and goals. Be wary if they won't provide information upon request.
- ✓ If you pay by check, make the check payable directly to the charity. Get a receipt. Never pay with cash.
- ✓ Be alert for charities with familiar-sounding names that resemble those of better-known groups.
- ✓ Research the charity before you give. Also, contact your Better Business Bureau for information on charities. Check at **www.give.org/reports**.
- ✓ Consider donating to local organizations so that you can see where your money goes.

- ✓ Do not feel that you must donate to organizations that send you calendars, mailing labels and greeting cards. By law, these are yours to keep free of charge.
- ✓ Is the charity selling an item as part of its charitable solicitations program? If so, it is required to abide by the No Call List, because it is offering an item for sale. Otherwise, charitable solicitors are exempt from Kentucky's No Call List and may call you. If you wish not to be contacted in the future, request that your name and telephone number be removed from the charity's calling list and/or mailing list.

How to say "NO" to a charitable organization

If you feel pressure to give when called by a charity, simply state the following:

> "I have already budgeted my charitable dollars for this year. However, if you will send me something about your organization, I will review it and consider your organization for next year."

Hopefully, this will help you address situations where it is difficult for you to say "no."

What to do

If you suspect fraud by a charity or professional fund-raiser, you should contact the Attorney General's Consumer Protection Division at **502-696-5389** or you can call the Consumer Hotline at **888-432-9257**.

Internet Usage

The Internet is a wonderful tool to obtain information on any topic or issue imaginable, but it can also be a tool for crime.

Internet safety

The following are some helpful tips for using the Internet safely:

- ✓ People are not always who they seem online. Internet fraud has become one of the most common crimes in the United States. Be skeptical of anyone with whom you communicate online. It's a good idea never to give out personal information, such as social-security numbers, addresses or phone numbers. Remember, disregard the email pleas for help originating from Nigeria or other countries. This is an age-old scam!

- ✓ Do not give out account information online, even if someone claims to be from a company holding your account. Instead, contact the company yourself regarding such an inquiry. This is called "phishing," and the personal information you reveal could be used to steal your identity.
- ✓ Email is a convenient way to communicate with family and friends. However, your privacy is not assured. Do not put anything in an email that you wouldn't want others to see.
- ✓ If you are having problems with junk email or "spam," learn to recognize it and delete it immediately. Do not attempt to read it first, because this could allow a virus into your computer. Viruses can disrupt vital functions of your computer. Also, responding to junk email only verifies your email address as a valid address and junk emails could increase. Unwanted or unsolicited spam may be forwarded to the Federal Trade Commission at **spam@uce.gov**.
- ✓ If you are considering buying something online, always use a "secured" site. Generally, your personal information will remain protected. Read and understand the company's privacy policy.
- ✓ Finally, the most important thing to remember: whenever you run across fantastic offers online that sound too good to be true, 99.9% of the time, they are!

To report Internet fraud, please contact the Federal Trade Commission at **www.ftc.gov**, the FBI at **www.ic3.gov** and your local law enforcement.

Pre-need Funeral & Cemetery Sales

Pre-planning allows you to choose what type of arrangements you want and enables you to make buying decisions without the emotions of an at-need situation. Some consumers also choose to pre-pay for their arrangements and selection of cemetery merchandise and services. If you sign a pre-need burial contract (including vaults and opening & closing costs), you should be aware that the seller is required to place 100% of all monies paid in a financial institution, and it remains in trust until the time of need. If you decide to request a refund, you are also entitled to your money and the interest the money earned within 15 days of your written request.

Pre-need funeral contracts and sales of pre-paid cemetery merchandise are reported to the Office of the Attorney General. Pre-need contracts funded by insurance products are regulated by the Office of Insurance. Make sure you know what you are buying and how your money will be invested.

Questions to ask a funeral home or cemetery when pre-paying for your funeral:

- ✓ Is this an insurance product and what happens to the money I pre-pay?
- ✓ Will I receive periodic documentation that all the money I pay on the contract has been put into a trust at a financial institution?
- ✓ Where will any excess funds go after my funeral has been performed?
- ✓ What are the tax implications of this plan?
- ✓ How much time do I have to reconsider my cemetery purchase and still receive a full refund?
- ✓ What happens to my money if the funeral home is sold or goes out of business?
- ✓ Are these prices guaranteed? What is NOT covered?
- ✓ Will there be any other charges at the time of need?
- ✓ What decisions will my family have to make?
- ✓ What happens if I die away from home or if I move?
- ✓ When is embalming required?
- ✓ What's the difference between a grave liner, a vault and a lawn crypt? What does the cemetery require?
- ✓ Are we financing this purchase with an insurance product? If not, where will you deposit the pre-need funds?
- ✓ What is your pre-need license number?

What to do

If you have any questions or concerns regarding a pre-need burial contract, you can contact the Attorney General's Consumer Protection Division at **888-432-9257**. If you are considering an irrevocable trust to fund your pre-paid funeral arrangements, you should consult an attorney or financial advisor to determine if this arrangement is best for you and your financial situation.

Insurance

Many seniors will consider purchasing life insurance as a means of protecting their spouse or family, or providing benefits at the time of their death. Many life insurance policies offer the ability to take out loans against the value of a policy. When purchasing life insurance, there are some things to look out for:

- ✓ Never consent to loans against your policy unless you will receive the proceeds. In other words, be careful of offers by third parties, such as brokers or salesmen, to arrange loans unless you get the check.
- ✓ Don't let a broker or salesman convince you to sign any blank forms under the pretense that they will fill them out later. Read and complete all forms before signing.
- ✓ Never give "power of attorney" to a broker or agent, allowing them to act on your behalf. If you wish to have someone make important decisions affecting your finances, ask a family member or close friend.
- ✓ Don't rush in. If you're confused by the terms of a contract, ask for time to review it. A hard sell usually is a sign of a bad deal.
- ✓ Never cancel one policy before you have a chance to review and accept a new policy. It could leave you without coverage.
- ✓ Many life-insurance policies can seem attractive at first, but can wind up costing you money in the long run. Examine documents carefully and consider consulting an attorney before signing anything that will commit you to payments far into the future.

What to do

If you have any questions regarding your insurance you can contact the Kentucky Office of Insurance at **800-595-6053**.

Medicaid Fraud and Abuse Control

Senior-citizen abuse refers to physical and psychological mistreatment, financial exploitation, passive neglect, confinement, abandonment, hazardous living conditions, intimidation and sexual abuse involving senior citizens. An abuser may be a caretaker, nursing home or hospital worker, a visitor or even a family member. In Kentucky, doctors and other medical professionals are required to report suspected cases of senior abuse. If you suspect a friend or relative is being abused, speak to your doctor, contact your local police, or call the Community Based Services Abuse Hotline at **800-752-6200** or the Attorney General's Medicaid Fraud Unit Hotline at **877-ABUSE-TIP** (**877-228-7384**). Symptoms of senior abuse may range from serious physical injuries to less noticeable signs of neglect. If you notice the presence of a number of these factors, it could indicate that a senior is being abused:

- ✓ Fractures, welts, lacerations, punctures and burns, especially when they occur in unusual or unexpected places.

- ✓ Frequent bruising, especially on the upper arms (from holding or shaking) and bruises that appear to be centered in a particular area (from repeated striking) or those that are similar in shape to an object.
- ✓ Signs of sexual abuse include torn, stained or bloody underclothing, difficulty in walking or sitting, and pain, itching, bruising or bleeding in the genital area.
- ✓ Seniors who seem confused, show excessive fear, have difficulty sleeping or who have experienced a change in appetite, weight loss, withdrawal, agitation or a general loss of interest in activities or their environment may be the victims of psychological or emotional abuse.
- ✓ Seniors are also frequently the targets of financial abuse. Watch for confusion or lack of knowledge about finances, unexplained sudden inability to pay bills, fear or anxiety when discussing finances, disparities between assets and lifestyle, or an unusual interest by a family member in an older person's assets.

Neglected seniors are also victims. Be on the lookout for signs of dehydration, malnutrition, excessive dirt or odor, inadequate clothing (especially in colder weather), bedsores or signs of excessive drugging or lack of medication.

What to do

If you suspect that you or a senior you love is a victim of abuse, contact the police immediately and your local Department for Community Based Services. A court-issued Order of Protection can help keep you safe from abuse by keeping the abuser away. Violations of an Order of Protection can result in jail time and/or fines.

The Attorney General's Medicaid Fraud & Abuse Control Division investigates and prosecutes cases of senior abuse or neglect in nursing homes. The Medicaid Fraud & Abuse Control Division also investigates and prosecutes fraud and theft from the taxpayer-funded Medicaid system. To contact the Attorney General's Medicaid Fraud & Abuse Control Division, call **502-696-5405** or call the Attorney General's Medicaid Fraud and Abuse Tip Hotline at **877-ABUSE-TIP** (**877-228-7384**).

Am I Eligible for Medicaid?

Kentucky spends billions of dollars each year on Medicaid, the joint federal-state program of medical care for the poor, those in nursing homes and certain other citizens, including the blind, disabled or families who receive public assistance. Medicaid differs from Medicare, the federal health-insurance program for senior citizens. To determine if you are eligible for Medicaid, contact the Department for Medicaid Services at **800-635-2570**, or the Department for Social Insurance in your county.

Seniors As Crime Victims

Most older Kentuckians enjoy rich and interactive lives with their children, families and friends. Many live independently and are able to care of themselves and others. Others live in residential-care facilities or with family members. Elder abuse can and does occur in both residential-care facilities and in family care settings. Elder abuse can take many forms including physical or sexual abuse, emotional or psychological abuse, neglect, or financial exploitation.

In Kentucky, there are two laws that address senior abuse and other forms of maltreatment, KRS Chapters 209 and 403. KRS Chapter 209 assigns the Cabinet for Health and Family Services as the state agency responsible for receiving and investigating reports of alleged abuse, neglect or exploitation. The intent of the law is to establish a system of available protective services for adults in the Commonwealth who are unable to manage their own affairs or protect themselves from abuse, neglect or exploitation. KRS Chapter 403 was enacted to provide immediate, effective, short-term protection against further violence and abuse to persons who are victims of physical injury, sexual abuse, assault or the infliction of fear of these crimes by family members or members of an unmarried couple. Members of an unmarried couple may live together, may have formerly lived together or have a child in common.

Seniors, like all victims of most felony crimes, are entitled to the rights set forth in the Crime Victims Bill of Rights. This Bill of Rights imposes on law-enforcement officers and/or prosecutors the responsibility of informing victims of available protective, emergency, social and medical services, crime victim's compensation and restitution, and information about the status of the criminal case. For specific information about your rights as a crime victim, contact your local prosecutor's office or the Office of the Attorney General, Victims Advocacy Division.

Seniors are particularly susceptible to crimes motivated by economic gain and are more likely than younger victims to suffer serious injury and face assailants who are strangers. They are also twice as likely as younger victims to be raped, robbed or assaulted at or near their homes.

The following are some tips for protecting yourself:

- ✓ Notify the police if you will be away for a long period.
- ✓ Keep a list of phone numbers for local law enforcement, medical and social-service agencies by your phone.
- ✓ Participate in community activities as long as you can.

- ✓ Develop a mutual reassurance buddy system with a friend outside your home.
- ✓ Keep regular medical, dental and other personal appointments.
- ✓ Ask your friends to visit you where you live.
- ✓ Recognize the early warning signs of abuse and mistreatment.

Listed below are behaviors to avoid:

- ✓ Allowing strangers or repairmen in your home without a prior contact.
- ✓ Leaving cash, jewelry, or personally prized belongings lying about.
- ✓ Accepting personal care in return for transfer or assignment of your property or assets without a lawyer, advocate or other trusted person being involved as a witness.
- ✓ Leaving messages on the door while you are away.
- ✓ Losing contact with old friends and neighbors if you must move into a relative's home or another living arrangement.
- ✓ Voluntarily giving up control of your property or assets until you determine that you cannot manage them.

What to do

If you become a victim of a crime, please know that there are crime-victim advocates to assist you with your concerns and questions. Kentucky is very fortunate to have crime-victim advocates located in almost every county, and in many cases they can assist you throughout the court procedure. For more information call the Office of the Attorney General, Victims Advocacy Division at **502-696-5312** or **800-372-2551.**

Office of Rate Intervention

The Office of Rate Intervention serves as a watchdog for consumers — detecting and protecting against unreasonable health insurance, gas, water, sewer, electric and telephone rates.

What to do

If you have any questions or complaints with your electric, water, gas, sewer or telephone rates, you can contact the Public Service Commission at **800-772-4636**.

If you have any questions or complaints concerning your health insurance rates, please contact the Kentucky Office of Insurance at **800-595-6053**.

Since its creation by the General Assembly, the Office has helped to make the rate application process open and understandable to the consumers of the Commonwealth. No longer can health insurers and public utilities request and receive rate increases under a blanket of secrecy. Because of the Office of Rate Intervention, they are now required to disclose justification for requested rate increases.

Civil Rights

Senior citizens and all Kentuckians have the right to live free from discrimination based on age, sex, disability, race, religion, creed or familial status. Many senior citizens can be the target of age discrimination in housing, employment and other areas. Discrimination is illegal.

Landlords may not discriminate because of age and may not refuse to rent an apartment or refuse to renew a lease on the basis of age. In addition, Kentucky law provides special protections for senior citizens who face eviction or the loss of utility service, such as electric, heat or telephone.

The law also prevents businesses from discriminating, either in employment or accommodations, based on age or disability. Businesses must make reasonable accommodations for patrons with disabilities, such as providing wheelchair access or special services for the visually or hearing-impaired.

What to do

Seniors who feel they are victims of discrimination may file complaints with the Kentucky Human Rights Commission by calling **800-292-5566**.

Tips for Caregivers and Family Members Assisting Seniors

Do you suspect a senior is involved in a sweepstakes or lottery scam? These tips may help:

- ✓ Talk calmly with the senior about the dangers of sweepstakes. Do not scold or talk loudly. Remind them that sending money never produces large winnings. You may wish to include other people whom the senior respects, such as a pastor or a banker in discussions about this. You may also contact the Office of the Attorney General at **888-432-9257** to request a staff member contact the senior to help them realize the scope of the sweepstakes scams. Remember, the con artists are very convincing and it is easy for seniors to believe them.

- ✓ Consider asking the senior if you can help sort through his/her mail to determine which pieces of mail need to be shredded and discarded, or consider having all mail go to a post office box so that you can sort out the junk-mail pieces. You may also get your senior's name removed from junk-mail lists by contacting the Direct Marketing Association, Mail Preference Service listed in the Sweepstakes and Lotteries Sections of this booklet.
- ✓ If you notice private carrier receipts from UPS or FedEx for pickups, or receipts from wiring services, such as Western Union, seniors could be sending money to sweepstakes and lottery promoters. Once again, talk with them about these dangers. Let the senior know that foreign lotteries and sweepstakes are illegal in Kentucky and if they have to send money in order to obtain the prize, it is illegal. By sending money, they are only helping the company commit a crime. Remind the senior that ordering merchandise does not increase his/her chances of winning a prize. If money for "fees" or "taxes" is required, it is illegal and is only a scam.

Is your senior a possible victim of financial exploitation? Here are some red flags:

- ✓ Bank activity that is erratic, unusual, or uncharacteristic of the senior, such as frequent account changes from one branch to another or large withdrawals and changes in pattern of withdrawals, e.g. several in one day.
- ✓ Implausible reasons are given for banking activity.
- ✓ Frequent withdrawals made through ATMs, especially if physically frail and has not previously used an ATM.
- ✓ Bank statement and other financial documents are no longer sent to the home.
- ✓ Suspicious activity on credit cards, line of credit accounts.
- ✓ Forged or suspicious signature on documents.
- ✓ Sending money to unknown people by Western Union.
- ✓ A fiduciary or other person begins handling finances and funds are withdrawn with no apparent benefit to the senior.
- ✓ Changes in legal documents, such as property titles and wills or the execution of a power-of-attorney order, particularly if the person is confused.
- ✓ Recent, new acquaintances, particularly those who take up residence with the older person and/or who accompany the senior to conduct bank business.

- ✓ Lack of amenities when the older person can afford them.
- ✓ The older person is uncared for or the residence is unkempt when arrangements have been made for providing care and services.
- ✓ Noticeable changes in appearance and grooming.
- ✓ Changes in mood and nervousness or fear of the person accompanying the elder.
- ✓ Senior not being allowed to speak for him or herself.

To report exploitation or abuse, contact the Adult Protective Services Hotline at **800-752-6200**. You may make this report anonymously if you wish. You should also contact the Office of Inspector General, which regulates nursing homes and investigates allegations of abuse, at **502-564-7963** and the Office of the Attorney General at **877-ABUSE-TIP** (**877-228-7384**), which also investigates allegations of abuse and neglect in nursing-home facilities. For a guide entitled "How To Protect Nursing Home Residents: A Guide for Taking Action Against Abuse and Neglect" visit the Attorney General's website at **www.ag.ky.gov/consumer/seniors/**.

Senior Protection Program

Every senior citizen should be aware of his or her rights under Kentucky law and the role of the Attorney General in protecting those rights.

The Attorney General's Senior Protection Program is designed to coordinate the office's efforts and make it easier for seniors to get the help and information they need to make sure their rights are protected. The program focuses on crime prevention relating to the state's senior-citizen population. Programs are presented in coordination with the Office of the Attorney General and other state and local agencies in a continuous effort to improve the delivery of crime-prevention information. The primary mission of this program is to:

- ✓ Continually reinforce the message of crime prevention to Kentucky's senior-citizen population; and
- ✓ Provide methods by which senior citizens can be alerted to consumer fraud, con games and other criminal acts, so they can avoid being victimized and report suspicious activities to the appropriate law-enforcement agencies.

If your senior group would like to host a senior-protection program, contact the Attorney General's office at **888-432-9257** or **502-696-5389**.

Senior Crime College

The Senior Crime College is a program offered by the Office of the Attorney General in conjunction with other law-enforcement agencies to educate senior citizens about crime prevention and the latest scams reported to the Attorney General — offering tips on how to AVOID them, and providing them the contact information about whom to ALERT to report their suspicions.

If you would like to attend a Senior Crime College, or request one for your senior center or local civic organization, call the Attorney General's Senior Protection Program at **502-696-5389**.

Helpful Numbers

Consumer Information & Complaint Hotline 888-432-9257
- For the Hearing/Voice Impaired 502-696-5300
- Frankfort Office (main) 502-696-5389
- Louisville Office 502-429-7134
- Western Office 270-252-3344

Adult Protective Services/Abuse Hotline 800-752-6200

Aging, KY Division of 502-564-6930

Better Business Bureau
- Central & Eastern KY 800-866-6668
- Louisville & Western KY 800-388-2222

Federal Trade Commission (general info) 877-382-4357

Financial Institutions, Office of 800-223-2579

Identity Theft Victim Hotline 800-804-7556

Insurance, KY Office of 800-595-6053

Kentucky Bureau of Investigation 502-696-5367
- Toll-free 866-KBI-FORCE

Legal HelpLine for Older Kentuckians 800-200-3633

Medicaid Fraud & Abuse Hotline 877-ABUSE-TIP

Medicare/SHIP Program 877-293-7447

Public Service Commission 800-772-4636

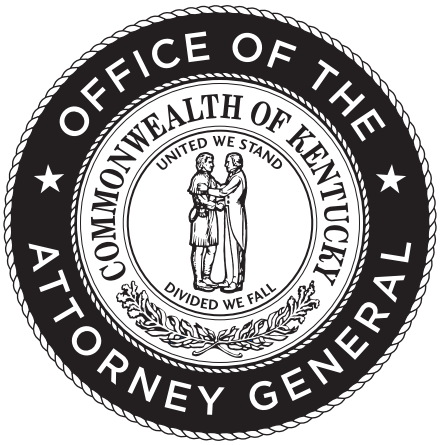
Senior Crime College Program 502-696-5389

Social Security 800-772-1213

Telemarketing No-Call List 888-382-1222

Telemarketing Complaint Hotline 866-877-7867

Victims Advocacy 800-372-2551



Office of the Attorney General
700 Capitol Avenue, Suite 118
Frankfort, Kentucky 40601
502-696-5300

www.ag.ky.gov