



KENTUCKY

General News



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Attorneys General See Progress in Joint Effort to Combat Prescription Drug Abuse

The joint effort between Kentucky Attorney General Jack Conway and Florida Attorney General Pam Bondi to crack down on overprescribing physicians, pill mills and the pill pipeline between Florida and Kentucky is paying off. The attorneys general have worked closely over the past year to address the scourge of illicit pills in both states.

“A couple of years ago, 97 of the 100 largest prescribers of oxycodone in the U.S. were in Florida. Last year it was down to 13,” said Attorney General Conway, who praised Bondi, a Republican, for creating a strike force to combat prescription drug abuse. The Attorneys General also put pressure on Florida Governor Rick Scott to implement a prescription drug monitoring program in Florida, similar to Kentucky’s KASPER system.

Speaking alongside Attorney General Conway at the Different Faces of Substance of Abuse Conference in Lexington, Bondi said the number of registered pain clinics in Florida has dropped from more than 900 to 579. She is also credited with getting more than a half a million pills off of the streets of Florida since taking office in January 2011.

“In Florida, I have worked tirelessly with the law enforcement community, state leaders and the federal government to get tough laws passed. Fighting prescription drugs takes a collaborative effort, and I’m grateful to states, like Kentucky, who are willing to work hand-in-hand with us so we can stop this national crisis,” General Bondi said.

General Conway vows to continue working with Bondi and other Attorneys General to see that prescription drug monitoring programs are in place in all 50 states.



Attorney General’s Office, DEA Lead Raid on Paintsville Pain Clinic

For the second time in a year, local, state and federal authorities have searched the Care More Pain Management Clinic in Johnson County as part of an ongoing investigation by the Attorney General’s Office and DEA into doctors who overprescribe. The Johnson County Sheriff’s Department and Paintsville Police arrested more than 20 people in connection with the January 26 search on charges of public intoxication, DUI and outstanding warrants.

General Conway’s investigators searched Care More and Dr. Richard Albert’s Pain Management Center on February 16, 2011. A federal grand jury indicted Dr. Albert in July of 2011 on one count of conspiracy to distribute drugs without a legitimate medical purpose. It’s estimated that Dr. Albert was prescribing more than 100,000 pills a month and averaged 55 patients a day.

In December of 2011, Dr. Albert pled guilty in federal court to conspiring to distribute and dispense controlled substances. He is scheduled to be sentenced in federal court in Pikeville on April 18, 2012.



A charge is merely an accusation and a defendant is presumed innocent until and unless proven guilty.

For more information on Attorney General Conway’s efforts to combat prescription drug abuse in Kentucky, please visit <http://ag.ky.gov/rxabuse>.

Attorney General Conway Seeks Information About Zappos.com Data Breach

General Conway is seeking more information about the recent data breach at Zappos.com. More than 24 million customers nationwide were affected when a computer hacker accessed parts of the online retailer's internal network and systems.

In a letter written by Connecticut Attorney General George Jepsen to Zappos.com, General Conway and the Attorneys General from nine other states asked Zappos.com to provide details about the company's actions in response to the breach and its efforts to protect consumers' sensitive information.

"News of a data security breach is always a concern for consumers who risk having their identities stolen and personal financial accounts compromised," General Conway said. "We believe it is important to ask companies about the adequacy of their security practices and to ensure they are doing all they can to notify consumers in the event of an online security breach."

According to Zappos.com, the hacker gained access to customer personal information such as names and addresses, email addresses, phone numbers, encrypted passwords, and the last four digits of credit card numbers (but not the database that stores credit card and other payment data).

For information on how to protect yourself against identity theft, visit the Federal Trade Commission's OnGuardOnline.gov service at <http://goo.gl/W1t0S>. If your identity has been stolen, use our Identity Theft Victim Kit: <http://goo.gl/OSbc>.

Letter to Zappos — <http://goo.gl/BvCiQ>

New Tech Support Marketing Scam Targets Kentucky Consumers

A new telemarketing scam is making its way across Kentucky. Attorney General Conway's Office of Consumer Protection has received more than two dozen complaints since mid-November about scammers impersonating tech support specialists who claim to have detected a virus on the victim's computer.

"This is just another attempt by scammers to gain access to personal financial information for the purpose of identity theft," General Conway said. "Never share personal information over the telephone with a stranger."

The "Tech Support" scam generally starts with the caller posing as a technical support engineer certified by a well-known company like Microsoft, Cisco, or Windows. Typically the caller claims that the phone call is in response to reports sent out automatically by the user's computer. The rogue tech support specialists offer to install what they claim are antivirus programs.

If you receive this type of call, General Conway asks consumers to keep the following in mind:

- ▶ Computer and software companies do not make unsolicited calls offering tech support.
- ▶ If you need tech support, contact the computer or software company at a number you know to be valid.
- ▶ Never provide personal information or follow a caller's instructions when you don't know who is contacting you.

For additional consumer protection tips or to file a consumer protection complaint online, visit <http://ag.ky.gov/consumer> or call the Attorney General's Consumer Protection Hotline at 1-888-432-9257.



Hardin County Jury Recommends Death for Convicted Serial Killer

Following a three-week trial, a Hardin County jury recommended a death sentence for Michael St. Clair following his conviction on capital kidnapping and other charges in connection with the 1991 abduction and murder of Frank Brady. The Hardin Circuit Court jury was empanelled following a reversal by the Kentucky Supreme Court in 2010 on an evidentiary ruling.

Attorney General Conway praised his Office of Special Prosecutions and victims' advocates for their hard work and commitment to seeking justice in Brady's murder.

"My hope is that this verdict brings some closure to the Brady family," General Conway said.

St. Clair was sentenced before Special Judge Tom Castlen. He is currently lodged on death row at the Kentucky State Penitentiary in Eddyville. With his Kentucky convictions, St. Clair has now been convicted of murdering five separate individuals.

Former Burkesville Nurse Indicted on Neglect, Theft Charges

An investigation by the Attorney General's Office of Medicaid Fraud and Abuse Control and the Burkesville Police Department has resulted in the indictment of a former nurse at Valley Manor Nursing Home. Forty-one-year-old Jinger Butler is charged with 11 counts of neglect and 11 counts of theft of a controlled substance.

The indictment for neglect alleges that between May and November of 2010, Butler replaced and retained the medication of 10 adult residents while she was acting as a caretaker at the Cumberland Valley Manor Nursing Home. Butler's conduct, according to the indictment, deprived each resident of services necessary to maintain the health and welfare of the patient, constituting knowing neglect of an adult. Under KRS 209.990(2), each count of knowing neglect of an adult is a Class C felony with a potential prison sentence of five to 10 years if convicted.

The indictment for theft of a controlled substance charges that Butler took hydrocodone pills, identified as Lortab, from the residents. Theft of a Controlled Substance is a Class D felony with a potential sentence of one to five years of imprisonment. Both indictments relate to the same 10 residents.

The Office of Jesse Stockton, Commonwealth's Attorney for the 40th Judicial Circuit representing Monroe, Cumberland and Clinton counties, is handling the prosecution of this case.

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Louisville Man Pleads Guilty to Violating Federal Child Exploitation Law

A Louisville man pled guilty on January 6, 2012 to a charge of attempting to transfer obscene materials to a minor. The charges against 34-year-old Benjamin Wilmes are the result of an investigation by the Attorney General's Office following a sting operation in Bowling Green conducted in 2007 by Perverted Justice, a public watchdog group. Prosecution of this case is being handled by the U.S. Attorney's Office, Western District.



According to the plea agreement, Wilmes admitted that from his Louisville home, beginning on or about July 8, 2007, he engaged in online communications with a person he believed to be a 13-year-old girl living in Lawrenceburg, Ky. The teen was actually an adult working with law enforcement. He also admitted that on September 23, 2007, he used a web cam to transmit obscene live streaming video of himself.

Wilmes faces a maximum potential penalty of 10 years in prison, a \$250,000 fine and supervised release for a period of three years. His sentencing is scheduled for April 16, 2012, at 2 p.m. before Judge Russell in Louisville.

More information — <http://goo.gl/u9WWh>