



February 2015

## **AG Conway Shares Keep Kentucky Kids Safe Message at Henry Clay High**

Attorney General Jack Conway took his Keep Kentucky Kids Safe program to Lexington on Feb. 6, sharing his message about the dangers of prescription drug abuse and heroin with students at Henry Clay High School. Joined by Dr. Karen Shay, a mother who lost a daughter to prescription drug overdose, Attorney General Conway warned approximately 400 students about an epidemic that is devastating families across the Commonwealth.

“I care deeply about our kids and keeping them healthy and away from drugs are issues that I am passionate about,” Attorney General Conway said. “I continue to be moved and inspired by courageous parents, like Karen Shay, who travel with me with me as part of our Keep Kentucky Kids Safe program. It’s because of Karen, and the countless other parents like her who have lost children to prescription drug abuse, that we must remain vigilant in our efforts to combat this scourge.”

Nationally, drug overdose is the leading cause of accidental death in the United States. According to the Kentucky Office of Drug Control Policy, in 2013, 722 deaths in Kentucky were determined to be from a drug overdose. Additionally, Fayette County saw the largest increase in overdose fatalities in 2013 than any other Kentucky county, with 86 deaths compared to 74 in 2012.

In many parts of Kentucky, heroin is now replacing prescription painkillers as the drug of choice because it is also an opiate, it’s cheaper to get and it mimics the same high people get from crushing and injecting opioid painkillers. Of the 722 drug overdose-related deaths in 2013, 230 were attributed to heroin.

“Drug abuse isn’t discriminatory,” Shay said. “It doesn’t care about race, gender, age, or social status. We make choices every day of our lives, and those choices have consequences. I’m here today to encourage you to make the right choices.”

Since launching the Keep Kentucky Kids Safe program in 2010 with the Kentucky Office of Drug Control Policy, Kentucky Pharmacists Association, National Association of Drug Diversion Investigators, Operation UNITE and concerned parents, General Conway and his partners have alerted more than 45,000 students, teachers and parents to the dangers of abusing prescription drugs and heroin.

“As attorney general, Mr. Conway has sought to use his platform to protect Kentucky consumers, protect children from sexual predators, and help address the growing drug problem in our beautiful state,” said Greg Quenon, principal at Henry Clay High School. “The drug issue impacts us all, white or black, male or female, rich or poor. Thanks to Attorney General Conway, our students can go back out into our school and local community better informed and equipped to be leaders on this important topic.”

Kentucky continues to make progress in its fight against the epidemic of prescription drug abuse. According to the 2012 Kentucky Incentives for Prevention School Survey, the percentage of Kentucky teens misusing prescription drugs has dropped dramatically over the past four years.

Additionally, the latest report from the Substance Abuse and Mental Health Services Administration shows the non-medical use of prescription pain relievers among all age groups in Kentucky is down and the state is below the national average for prescription drug abuse.

For more information, visit [ag.ky.gov/rxabuse](http://ag.ky.gov/rxabuse).



## Oil Companies Urged to Eliminate Synthetic Drugs from Retail Stores

Attorney General Conway, along with 42 other state and territorial attorneys general, asked nine oil companies on Feb. 10 to collaborate with their franchisees to help eliminate synthetic drugs from retail locations operating under their brand names, including gas station and convenience stores.

The use of synthetic drugs has increased dramatically over the past four years. According to the U.S. Dept. of Health and Human Services, in 2010, more than 11,000 people across the country, many of whom were younger than 17, went to the emergency room after using synthetic marijuana. That number grew to approximately 28,000 in 2011 and since then, thousands more have been harmed by synthetic drugs.

“These are dangerous drugs – typically made by backyard chemists – that have the potential to cause serious injury or death,” Attorney General Conway said. “It’s our hope that the oil companies can work as partners in our efforts to keep synthetic drugs out of the hands of young people.”

In a letter to British Petroleum, Chevron Corp., Citgo Petroleum Corp., Exxon Mobil Corp., Marathon Petroleum Corp., Phillips 66, Shell Oil Company, Sunoco, and Valero Energy Corp., the attorneys general expressed concern over the problem of gas stations and convenience stores operating under brand names of reputable oil companies and selling illegal and extremely dangerous synthetic drugs. Many of these well-known retail locations give the appearance of safety and legitimacy to dangerous synthetic products. Enforcing stronger policies against the sale of synthetic drugs in retail locations can protect the brand reputations of these oil companies while also protecting our youth.

The attorneys general request the following actions be considered by these oil companies to address this growing problem:

- ▶ Prohibit franchisees from selling any synthetic drugs;
- ▶ Ensure this prohibition is understood by store franchisees and their employees by communicating directly with each of them;
- ▶ Establish a point of contact in corporate offices for franchisees, should they have any questions about synthetic drugs;
- ▶ Revoke franchisee/franchisor relationship with any gas station or convenience store that sells any kind of synthetic drugs; and
- ▶ Report to local law enforcement authorities if any franchisee is selling synthetic drugs.

A copy of the letter is available here: <http://tinyurl.com/nsdb3w8>.

## AG Conway Offers Consumer Safety Tips Following Anthem Data Breach

Kentuckians are encouraged to take steps to protect their personal information and watch for signs of identity theft following a data breach recently announced by Anthem, one of the nation’s largest health insurers.

Anthem has confirmed it was the subject of a “sophisticated, external cyberattack,” and that hackers gained access to the names, Social Security numbers, birthdays, addresses, email and employment information of current and former customers, as well as employees. The company has said that the stolen data did not include medical records or credit card numbers.

In a Feb. 10 letter to Anthem, Attorney General Conway and nine other state attorneys general urged the company to provide detailed information soon to affected consumers about how to sign up for the protections the company will provide. (<http://goo.gl/INUJ5Z>)

In response to the request, Anthem indicated the following day that its members could begin signing up for free credit monitoring and identity protection services beginning Fri., Feb. 13, and that the free services will last for two years.

“Becoming a victim of a data breach can be a frustrating and stressful experience,” Attorney General Conway said. “If you have been impacted by this recent cyberattack on Anthem, I encourage you to take advantage of the free credit monitoring and identity protection services being offered by the company. Additionally, consumers can always find a step-by-step toolkit designed to assist identity theft victims on my website, [ag.ky.gov](http://ag.ky.gov). The faster you detect identity theft, the sooner you can report and correct it.”

Attorney General Conway and his Office of Consumer Protection also recommend the following tips to help keep you safe from identity thieves:



- ▶ Check your mail. Open letters you receive and look for notifications that you have been affected by a security breach.
- ▶ Take advantage of free credit monitoring services Anthem will be offering to breach victims.
- ▶ Watch for “phishing” emails from scammers claiming to be from Anthem, a credit card bureau or other legitimate company. A legitimate bank or card provider will never ask for your account information by mail or email.
- ▶ Be vigilant of phone calls and legitimate-looking websites urging you to give up personal information. Also, never respond to pop-up ads that ask for personal or financial information.
- ▶ Monitor credit reports and financial account statements regularly and report suspicious activity to your financial institutions. Free credit reports can be accessed at [www.annualcreditreport.com](http://www.annualcreditreport.com).
- ▶ Consider placing a “fraud alert” on credit reports, which alerts businesses that they should verify identity before issuing credit in a consumer’s name.
- ▶ Watch for signs that your identity or credit information has been misused.

Customers affected by the recent data breach will be receiving a letter from Anthem explaining the breach and how to enroll in the identity theft protection and credit monitoring services.

Consumers with questions or concerns about the cyberattack are encouraged to call **1-877-263-7995** or visit [www.anthemfacts.com](http://www.anthemfacts.com). For information on preventing identity theft or to report suspicious activity, contact the Federal Trade Commission at **1-877-438-4338** or the Office of the Attorney General’s Consumer Protection Hotline at **1-888-432-9257**.

The Office of the Attorney General’s identity theft toolkit is available at [ag.ky.gov/idtheft](http://ag.ky.gov/idtheft).

## Governor Issues Price Gouging Executive Order at Attorney General’s Request

At the request of Attorney General Conway, Gov. Beshear on Feb. 17 activated the state’s prohibitions on price gouging. The emergency declaration triggers consumer protection measures that remain in place for 30 days, but may be extended past that time as needed.

The order empowers the Attorney General to investigate and prosecute, where appropriate, those who sell gasoline, generators, building supplies, chain saws, hotel rooms and other necessary goods and services at an exorbitant price in a time of disaster.

“I have made it clear that I will not tolerate unscrupulous retailers who seek excessive profits during emergency situations,” Attorney General Conway said. “Kentuckians digging out from a snow storm should not be victimized again by predatory pricing.”

Anyone with specific information regarding possible price gouging should contact the Office of the Attorney General at **1-888-432-9257** or email [consumerprotection@ky.gov](mailto:consumerprotection@ky.gov).

## Former Caregiver Arrested on Sex Abuse Charges

A former caregiver in Franklin County is accused of engaging in sexual conduct with two intellectually disabled adults. Damon Heath, 23, was arrested this afternoon at his Frankfort home on Feb. 3 and charged with five counts of third-degree sodomy, four counts of first-degree sexual abuse, and two counts of knowing abuse of a vulnerable adult.



Heath is a former caregiver at Community Choices Unlimited, which manages a group of Frankfort-area facilities that cares for intellectually disabled adults. Heath admitted to investigators with Attorney General Conway’s Medicaid Fraud and Abuse Control Unit to engaging in sexual conduct with the two victims on multiple occasions at various locations in Franklin County from April 2013 until January 2015.

“My investigators moved swiftly to investigate these abuse allegations immediately after receiving the complaint,” Attorney General Conway said. “As always, I encourage anyone who suspects patient neglect or abuse in a nursing home, Medicaid facility, or personal care home to report it to my office using our tip line at **1-877-ABUSE-TIP**.”

Heath was lodged in the Franklin County Regional Jail. Knowing abuse of a vulnerable adult is a class C felony. First-degree sexual abuse and third-degree sodomy are class D felonies.

The investigation of this case by Attorney General Conway’s Medicaid Fraud and Abuse Control Unit is ongoing. Franklin County Attorney Rick Sparks is handling the prosecution of this matter.



*Kentucky Association of Food Banks Rally to Solve Hunger*



*Emerge Kentucky Class of 2015*



*Greater Louisville, Inc. - Metro Chamber of Commerce Capitol Connection luncheon*



*Leadership Barren County Class of 2015*



*Meeting with young professionals from Louisville and Northern Kentucky*



*2015 County Judge Executive Association Winter Conference*

## **Christian County Man Sentenced on Child Porn Charge**

A Christian County man who previously pleaded guilty to possession of child pornography has been sentenced to prison.

On Aug. 28, 2014, 32-year-old Matthew Simpson pleaded guilty in Christian Circuit Court to ten counts of possession of a matter portraying a sexual performance by a minor, a class D felony. Simpson was sentenced on Feb. 10 to five years in prison on each count, which will be served concurrently. Simpson is also required to report with the Kentucky Sex Offender Registry.

“I am grateful for the work my Cybercrimes investigators do each day, and their commitment to pursuing and investigating those who download and distribute child pornography online,” Attorney General Conway said. “I also appreciate the assistance we received from Commonwealth’s Attorney Lynn Pryor in obtaining a guilty plea in this case.”

In January 2010, Simpson was indicted by a Christian County grand jury for possessing both video files and still images depicting child pornography. Attorney General Conway’s Cybercrimes Unit investigated this case. Commonwealth’s Attorney Lynn Pryor handled the prosecution of the matter.



## **Former Caregiver Arraigned in Montgomery County**

A former caregiver has been charged with wanton neglect of a vulnerable adult. Sandy Gibson, 37, of Winchester, Ky., was indicted by a Montgomery County grand jury on Feb. 13 and arraigned on Feb. 27 in Montgomery Circuit Court.

Gibson worked as a caregiver at a Community Alternatives of Kentucky residential care facility located in Mount Sterling. According to the indictment, on Dec. 31, 2013, Gibson left a 68-year-old mentally disabled resident alone while she was eating. The resident’s care plan required that she be supervised during meals. While eating, the resident choked and had to be rushed to the hospital. She died a week later at the University of Kentucky Medical Center. The indictment does not allege that the resident’s death was a direct result of the choking incident.

Attorney General Conway’s Medicaid Fraud and Abuse Control Unit investigated this case. It is being prosecuted by Montgomery County Commonwealth’s Attorney Ronnie Goldy.

Wanton neglect of a vulnerable adult is a class D felony. If convicted, Gibson faces a potential sentence of one to five years in prison.