

KENTUCKY

# General News

March 2011

## Concerned Fathers Join Attorney General Conway at Prescription Drug Abuse Awareness Program



Mike Donta

Speaking to more than 700 students and concerned citizens at Boyd County Middle School, Mike Donta warned students in the audience that they are a lot like his son, Michael. Michael loved sports, cared for others, sat in drug awareness programs as a child and never thought he would be among the victims of prescription drug abuse. Michael Donta died in 2010 after struggling to overcome his addiction to prescription pills.

“If you choose drugs, chances are there will be a day when your parents will have to stand up here and tell everyone what it’s like to have to go out on a hillside and put their child in a hole in the ground,” Donta warned.

Donta and Bill Harris, both of Boyd County, joined Attorney General Conway as he warned students about the dangers of abusing prescription pills. Harris’ son, Kyle, was among the 28 Boyd County residents who died from prescription drug overdoses in 2009.

“To me, prescription drug abuse is like the tsunami that struck Japan. It is just as devastating,” Harris said.

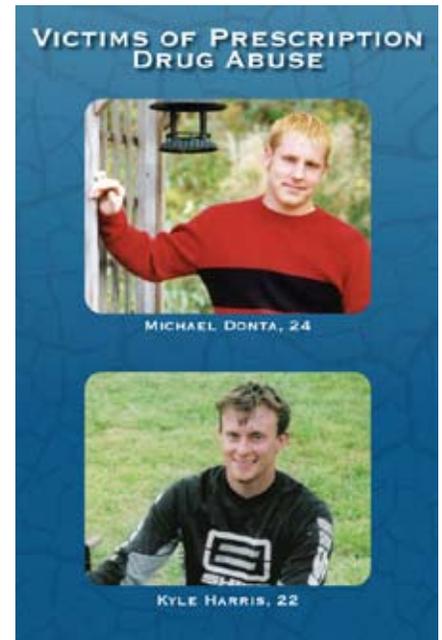
Attorney General Conway praised the fathers for speaking out and said it took “tremendous courage” for them to tell their story. He also issued a warning to students about taking prescription pills that are not prescribed to them.

“It’s not o.k. to take them. These are some of the most addictive substances in the world. You could go to sleep and not wake up.”

General Conway brought his statewide prescription drug abuse prevention initiative to Boyd County as the community struggles to combat an alarming increase in prescription drug overdose deaths. Accidental overdose deaths in Boyd County have quadrupled since 2008. Many local officials attribute the growing number of deaths to Florida’s unmonitored pain clinics.

General Conway and his Keep Kentucky Kids Safe partners will speak to students in Bell, Christian, Floyd, Davies and Warren counties in the coming weeks.

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



### Upcoming Prescription Drug Abuse Awareness Programs

- April 19, 1pm, Bell County High School
- April 22, 10am, Christian County High School
- April 26, 1pm, Prestonsburg High School
- May 10, 1pm, Owensboro High School
- May 11, 1:15pm, Bowling Green Junior High



Kentucky Attorney General Jack Conway

## Attorney General Conway Calls on Florida to Implement Prescription Drug Monitoring Program

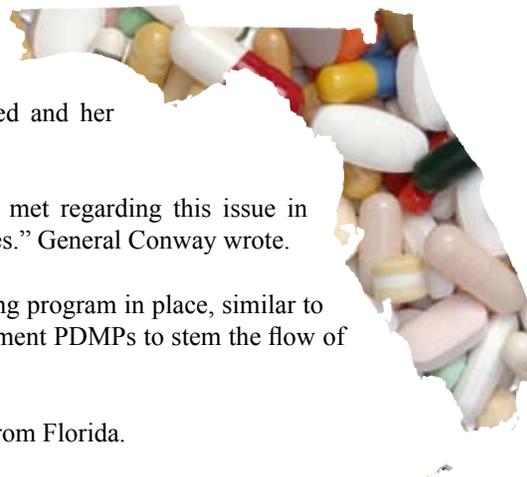
In a letter to the editor that appeared in Florida's Sun Sentinel newspaper, Attorney General Conway urged Florida's legislature to follow through with its plan to implement a prescription database monitoring program (PDMP). He also wrote in support of Florida Attorney General Pam Bondi's continuing efforts to ensure the program is implemented and her willingness to stand-up on this important issue.

"Although Attorney General Bondi and I are of different political parties, we recently met regarding this issue in Washington, D.C. and we both recognize how important this issue is to our respective states." General Conway wrote.

Florida is one of more than a dozen states that does not have a prescription drug monitoring program in place, similar to Kentucky's KASPER system. General Conway says it is important that other states implement PDMPs to stem the flow of illegal prescription pills into Kentucky.

Federal law enforcement officers estimate that 60% of the illegal pills in Kentucky come from Florida.

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



## Consumers Warned About Potential Japan Disaster Relief Scams



Attorney General Conway is cautioning Kentucky consumers that scammers may try to prey on their generosity as they help those affected by Japan's devastating earthquake and tsunami. Fraudulent charitable solicitations can come through emails, social networking sites or even direct calls. General Conway asks that consumers choose carefully when considering urgent appeals for aid.

"My heart goes out to the victims of Japan's devastating earthquake and tsunami," General Conway said. "Because there are so many people hurting as a result of this disaster, it is vital that charitable contributions reach those in need and aren't used to line the pockets of unscrupulous scam artists."

Before making a charitable contribution, General Conway recommends following these tips:

- ▶ Donate to recognized charities that you have given to before.
- ▶ Avoid responding to unsolicited incoming emails, including clicking links contained within those messages as they could contain viruses.
- ▶ Be skeptical of individuals representing themselves as surviving victims.
- ▶ Remember that charitable solicitors take a portion of the proceeds to cover their costs, which leaves less for victim assistance.
- ▶ Utilize online resources to research charities before making a donation.
- ▶ Avoid giving or sending cash. For security and tax record purposes, contribute by check or credit card and write the official name of the charity on your check.
- ▶ Never give your personal or financial information to anyone who solicits contributions.

For more information about how you can help disaster victims in Japan, the Federal Trade Commission (FTC) recommends visiting the U.S. Agency for International Development website at <http://www.usaid.gov/>.

Consumers can also research charities through the Attorney General's website at [www.ag.ky.gov](http://www.ag.ky.gov). If you believe you have been the victim of a scam or if you would like to file a consumer complaint, call the Attorney General's Consumer Protection Hotline at 1-888-432-9257 or visit <http://ag.ky.gov/consumers>.



## **Attorney General Conway Announces \$10 Million Settlement with Pharmaceutical Manufacturers**

Attorney General Conway and his Office of Medicaid Fraud and Abuse Control have recovered more than \$10 million for the Kentucky Medicaid Program following a settlement with two drug companies. A \$10.2 million settlement was reached in March with Alpharma USPD, Inc. and Purepac Pharmaceutical Co. over allegations the companies published bogus average wholesale prices (AWPs) for their drugs. This announcement is the latest in a number of settlements in AWP lawsuits filed by the Office of the Attorney General against 46 major drug companies.

The Kentucky Medicaid program relies on AWP's to calculate Medicaid drug reimbursement rates. Alpharma and Purepac published significantly inflated AWP's for their drugs that bore no relationship to any prices that any of their customers actually paid for the drugs. This created an artificial "spread" between the inflated published prices and the real prices. Some of these spreads exceeded 3,200%.

Alpharma and Purepac then used these spreads as a sales tool to market the drugs to their customers, thereby increasing company profits and market share in the pharmaceutical industry. These deceptive practices caused the Kentucky Medicaid program to pay substantially more for Alpharma and Purepac drugs than it actually cost Kentucky pharmacies to acquire them.

"Taxpayers should not be footing the bill for these inflated drug prices," General Conway said. "My office is committed to ensuring that drug companies truthfully report their prices and do not engage in false or misleading business practices."

Since Attorney General Conway took office in January 2008, his Office of Medicaid Fraud and Abuse Control has recovered or been awarded more than \$175 million for the state and federal Medicaid programs. These cases range from lawsuits and settlements against pharmaceutical companies to cases against individual providers.

More information — <http://goo.gl/y73oE>

## **Electronic Warrant System Online in 46th Judicial Circuit and Gallatin County**



The Attorney General's Office has successfully implemented an electronic warrant management system (eWarrants) in four more of Kentucky's rural counties under a \$3.9 million American Recovery and Reinvestment Act (ARRA) grant. The system was launched in the 46th Judicial Circuit (Breckenridge, Grayson and Meade counties) and a portion of the 54th Judicial Circuit (Gallatin County). This brings to 40 the number of counties that have received the eWarrant system under the ARRA grant awarded to the Attorney General's Office in 2009.

"With today's eWarrants rollout, more than 2.2 million, or approximately 53%, of Kentuckians now live in counties with eWarrants," General Conway said. "I appreciate the continued support from our partners, as well as local officials and law enforcement as we seek to implement eWarrants in 100 rural counties by year's end."

The eWarrant system facilitates the sharing of information among all law enforcement concerning active warrants in jurisdictions throughout the Commonwealth. It replaces the manual protocols for processing warrant information with an electronic method for making warrants available via the Law Enforcement Information Network of Kentucky (LINK), the system administered by Kentucky State Police and used by law enforcement to transmit and retrieve information on active warrants.

Service rates for warrants rise from as low as 10% under the old system to roughly 50% immediately after implementation of eWarrants, and as high as 80% in the long-term. There are nearly 380,000 warrants currently in the eWarrants database.

\$3.9 million American Recovery and Reinvestment Act (ARRA) grant awarded to the Office of the Attorney General in 2009. The Kentucky Office of Homeland Security funded implementation of eWarrants in Boone County, also in the 54th Judicial Circuit.

Working with local officials in the 46th Judicial Circuit and Gallatin County, the Office of the Attorney General, in partnership with the Administrative Office of the Courts (AOC), the Kentucky State Police, the Kentucky Office of Homeland Security and Open Portal Solutions, Inc., provided training and support for the new system. The first roll-out under the grant was Oct. 26th in the 53rd Judicial Circuit, comprised of Anderson, Shelby and Spencer counties.

The eWarrant program is being offered to Kentucky's rural counties at no cost to local communities. In addition to modernizing law enforcement infrastructure, the ARRA grant has created 16 jobs for citizens of the Commonwealth. Individuals may obtain more information about eWarrants by filling out the eWarrant contact form on the Attorney's General's website, at <http://ag.ky.gov/ewarrants>

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## **Two Community Presence Caregivers Convicted in Connection with Abuse of Vulnerable Adult**

A Carter Circuit Court jury has convicted two Community Presence caregivers of abusing a mentally handicapped patient. The week-long trial ended with the convictions of 55-year-old Robert Thompson of Ironton, Oh and 43-year-old Michael Yates of Ashland. Thompson was found guilty of knowingly abusing a vulnerable adult, wanton endangerment 1st degree and unlawful imprisonment 1st degree, while Yates was convicted of wantonly abusing a vulnerable adult, wanton endangerment 2nd degree and unlawful imprisonment 2nd degree.

The charges against Thompson and Yates stem from the Sept. 20, 2007 abuse of Michael Price, a mentally handicapped adult who resided at Community Presence, Inc. Over the course of an hour-and-a-half, Thompson and Yates, among others, restrained Price, laying on his back and chest and putting him at risk for serious injury or death.

Investigators from General Conway's Office of Medicaid Fraud and Abuse Control and the Grayson Police Department jointly cooperated in the investigation of the case and the arrests in connection with the abuse of Price. Prosecutors from the Attorney General's office handled the prosecution of this case at the request of the Carter County Commonwealth's Attorney's Office.

"I appreciate the hard work of our investigators and prosecutors working together with the local Commonwealth's Attorney and law enforcement to bring this case to a close," General Conway said. "My office is committed to combating the abuse of Kentucky's vulnerable citizens."

The jury has recommended an eight-year prison sentence for Thompson and three years for Yates. Sentencing is scheduled for April 18, 2011.

Last year, two additional defendants, Todd Gribbin of Flatwoods and Earl Pelfrey of Grayson, were sentenced to diversion and ordered to never again be employed as caregivers in connection with the abuse of Price.

## **Madison County Woman Sentenced for Stealing from Child Care Coalition**

A Madison County woman has been sentenced to three years in prison for stealing more than \$43,500 from the Eastern Kentucky Child Care Coalition. . Forty-year-old Lisa Marie Bussell of Richmond was sentenced in Madison Circuit Court after entering a guilty plea to one count of theft by unlawful taking over \$300, a Class D-felony. Bussell has also been ordered to pay restitution to the coalition.

General Conway's Department of Criminal Investigations (DCI) began investigating Bussell in Dec. 2009 following a tip from a concerned citizen. The tip involved the theft of grant money by an employee of the Eastern Kentucky Child Care Coalition, a private, non-profit agency whose mission is to increase the quality and accessibility of child care in Southeastern Kentucky.

Prosecution of the case was handled by the office of David Smith, Commonwealth's Attorney for the 25th Judicial Circuit representing Clark and Madison counties.

## **Mason County High to Represent Kentucky in National LifeSmarts Competition**

Mason County High will compete against teams from across the country in the 17th Annual National LifeSmarts Championship in Hollywood, CA April 30-May 3, 2011. Mason County defeated teams from Grant and Bracken counties in the LifeSmarts state competition in March at Kentucky State University.

LifeSmarts is a consumer education game-show style competition sponsored by the National Consumer League and coordinated in Kentucky by the Office of the Attorney General, Department of Financial Institutions, the Louisville branch of the Federal Reserve Bank of St. Louis, the Better Business Bureau and the Kentucky 4-H Cooperative Extension Service.

"I would like to congratulate Mason County for their first place finish and commend all of the students who participated in the LifeSmarts competition," General Conway said. "It is more important than ever for Kentuckians, both young and old, to be wise consumers."

Mason County team is coached by teacher Maggie Prater. The team members include Connor Appelman, Garric Buzzard, Amrita Srinivasan, Andrew Ward, and Simon Segal.

High schools interested in learning more about LifeSmarts for the 2012 program year may visit [www.lifesmarts.org](http://www.lifesmarts.org).

