

KENTUCKY

General News

December 2011

Attorney General Conway Sworn in for a Second Term

With his family by his side, Attorney General Conway was sworn in on January 2, 2012 as Kentucky's 49th Attorney General.



“The past four years have provided moments of pride, humility, honor and commitment,” General Conway said. “I decided to run for another term as Attorney General because I love this job- I have an opportunity every day to fight for Kentucky families.”

General Conway's priorities for the next four years include passing sweeping prescription pill legislation, leading efforts to hold banks accountable for the mortgage foreclosure crisis, investigating the questionable business practices of some for-profit colleges and educating students about Cybersafety and prescription drug abuse.

During his inauguration address, Conway quoted immortal Kentucky lawmaker Henry Clay, “Government is a trust, and the officers of the government are trustees. And both the trust and the trustees are created for the benefit of the people.”

More information — <http://goo.gl/2OanM>

Conway Applauds Biennial Accomplishments

Pursuant to KRS. 15.080, Attorney General Conway has presented Governor Beshear with the 2011 Biennial Report for the Office of the Attorney General.

“We have accomplished a great deal this biennium, despite unprecedented budget cuts,” General Conway said. “We have not only maintained the mission critical functions of this office, but we have implemented many new initiatives that reflect my commitment to standing up for Kentucky families.”

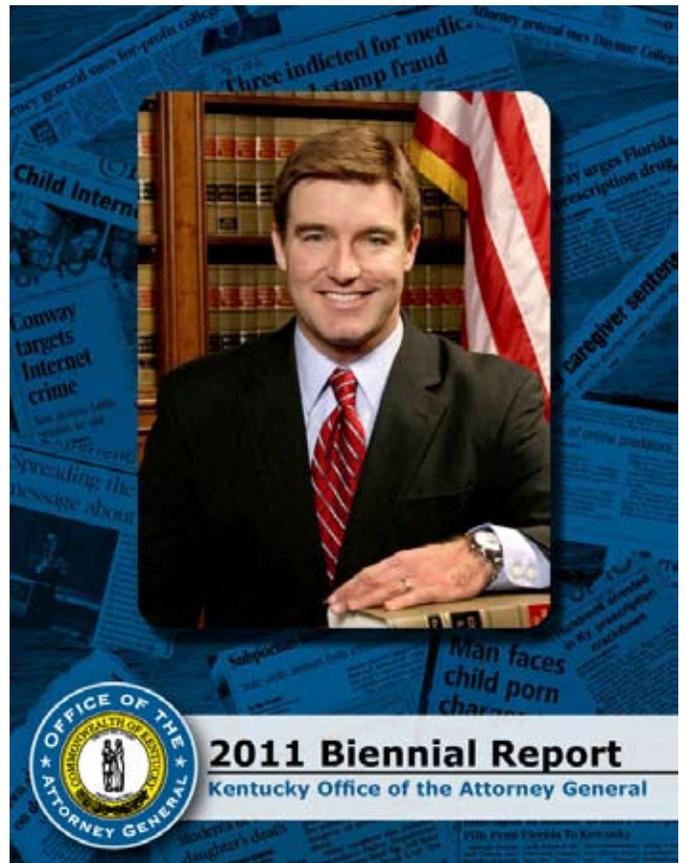
General Conway's biennial accomplishments include creating Kentucky's first and only statewide Prescription Drug Diversion Task Force and statewide education and prevention initiative, implementation of eWarrants in nearly all of Kentucky's rural counties, doubling Kentucky's Medicaid fraud recoveries and helping Kentucky rate payers avoid more than \$237 million in proposed utility rate increases.

Given the state budget constraints, General Conway opted to distribute the report electronically and he has made it available online:

<http://ag.ky.gov/2011biennial>.



Kentucky Attorney General Jack Conway



Attorney General Conway Completes Review of Proposed University of Louisville Hospital Merger

Attorney General Conway issued the following statement after completing an in-depth review of the proposed University of Louisville Hospital merger.

“My staff and I conducted a thorough and comprehensive of the proposed hospital merger. This presented an unprecedented combination of entities and a myriad of legal and public policy issues. Some of those issues were addressed by the parties, but many of them were not resolved. Of particular concern was the loss of control of a valuable state asset and the services it provides to the public.

It is my opinion that the Governor should not at this time approve the proposed new affiliation agreement and new lease. I support the University of Louisville and its mission, but it is a public agency with an obligation to inform and work with state government regarding the control of a public asset such as University Hospital.

I appreciate Gov. Beshear’s careful analysis of this merger, and I believe he ultimately made the appropriate decision on behalf of the Commonwealth’s interests.

I am committed to working with all parties to ensure that our hospitals continue to fulfill their missions as leading trauma centers, teaching hospitals and nationally renowned research facilities.”

Link to the full report: <http://goo.gl/7HA8g>



Attorneys General Help Derail “Robo-call Bill”

Opposition from attorneys general across the country helped derail a piece of legislation that would have allowed robo-callers to target cell phones. General Conway joined his fellow attorneys general in urging Congress to oppose the “Mobile Informational Call Act of 2011,” which would have amended the Communications Act of 1934 to allow for robo-calls to cell phones, leaving consumers to foot the bill.

General Conway called the federal measure, “an assault on Americans’ privacy.” The bill’s sponsor, U.S. Rep. Lee Terry of Nebraska, ultimately asked the chairman of the U.S. House and Energy and Commerce Committee to pull the legislation.

OAG Donates Hats and Gloves to Frankfort Homeless Shelter

In lieu of a staff gift exchange, General Conway and his staff have once again donated hats and gloves to women and children staying at a Frankfort shelter for women and children. This is the third year that the OAG staff has remembered those in need at the Simon House. Executive Director Pamela McCalla sent the following letter of thanks.





Giving Hope to Women and Children

208 W. Campbell Street
P.O. Box 1174
Frankfort, KY 40602
(502) 223-2138 O/Sax
(502) 223-9888 Fax

December 29, 2011
Office of Attorney General
ATTN: Allison Martin
1024 Capital Center Drive
Frankfort, KY 40601

Dear Ms. Martin:

Season's greetings from the Simon House! On behalf of the 14 women and their 18 children who have benefited from our program this year, we thank you for your support. Although the women come to us from different situations, their main goal is the same as ours for them: learn and grow in a supportive environment and provide a healthy home for themselves and their children. The respect I have for these women is immense for they are trying to overcome major hurdles usually without family support. During the year, we have seen women strengthen their support networks, seek educational opportunities, get full time employment and learn how to avoid some of the financial pitfalls.

We have seen an influx of families in the community that are struggling. Helping former residents and low income families "at risk" of losing housing, living one paycheck away from eviction increased by 43 just in the month of November. A total of 301 families have come to us for temporary assistance with clothing, household items, household supplies and baby items. In our 25th anniversary year, we are trying to address the increase in need for our residential program as well as temporary needs for "at risk" families. We look forward to the next 25 years of helping those who turn to us in need of shelter, support and hope.

Thank you for your generous gift of multiple hats and gloves and a plant. We appreciate all items received and put to "good use" anything people entrust to us. Your donation helps the Simon House to continue both our residential and community outreach programs. We are the ones who hear the words of gratitude from those YOU help. In this season of giving, we are grateful to those with generous hearts.

Sincerely,
Pamela McCalla
Pamela McCalla
Executive Director

Thanks again for thinking of us this Christmas!

 Celebrating 25 Years of Service in 2012



Attorney General's Office Implements eWarrants in Nearly all of Kentucky's Rural Counties

Under an American Recovery and Reinvestment Act (ARRA) grant, the Attorney General's office successfully implemented an electronic warrant management system in nearly 100 of Kentucky's rural counties in 2011.



“With the December 15 launch of eWarrants in Knox County, I'm pleased to report that we have successfully implemented eWarrants in 99 rural counties under our ARRA grant,” General Conway said. “More than 90 percent of the state's population now has access to this important law enforcement tool.”

The Attorney General's office worked 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., to provide training and support for eWarrants, a system that facilitates the sharing of information concerning active warrants among all law enforcement across the Commonwealth.

Service rates for warrants rise from as low as 10 percent under the old system to roughly 50 percent immediately after implementation of eWarrants, and as high as 80 percent in the long-term.

Students at Henry County High Take Top Honors in Attorney General's Preventing Prescription Drug Abuse PSA Contest

A video produced by five students at Henry County High has taken top honors in Attorney General Conway's Preventing Prescription Drug Abuse Public Service Announcement (PSA) contest. The annual competition for high school students is part of General Conway's statewide Keep Kentucky Kids Safe initiative to alert Kentucky kids and their parents to the devastating consequences of abusing prescription pills.

This year's winning PSA was submitted by Joey Kenny, Jason Banta, Carlie Seligman, Jesse Mann and Micah Lineman of Henry County High School in New Castle, Ky. The winners will receive an Apple iPad generously donated by the National Association of Drug Diversion Investigators (NADDI).

The second place winner, Ryan Froehling of Villa Madonna Academy in Villa Hills, Ky., will receive a \$100 Amazon.com gift card donated by the Kentucky Pharmacists Association. Both NADDI and the Kentucky Pharmacists Association are partners in the Keep Kentucky Kids Safe program. Honorable mentions include Kaitlin Williams of Harrison County High, Austin Youngblood of Ryle High School and Brooke Eliot of Villa Madonna Academy.



The winning PSAs and honorable mentions are posted on the Attorney General's Prescription Drug Abuse information page at <http://ag.ky.gov/rxabuse>.

Paintsville Doctor Pleads Guilty to Pill Conspiracy Charges



A Paintsville, Ky. doctor accused of fraudulently dispensing prescription pills in Eastern Kentucky has entered a guilty plea in federal court. Dr. Richard Albert, 64, pled guilty in U.S. District Court last month in Pikeville to conspiring to distribute and dispense controlled substances. Dr. Albert also agreed to forfeit more than \$500,000, which represents proceeds from his conspiracy. The plea follows a year-long investigation of Dr. Albert and the Care More Pain Management Center in Paintsville by General Conway's statewide Prescription Drug Abuse Task Force, with assistance from the DEA and Paintsville Police Department.

General Conway's investigation, which is ongoing, found that Dr. Albert averaged 55 patients a day and prescribed approximately 105,000 pills a month. He typically wrote prescriptions for 100 Percocets (10mg) in exchange for \$200 cash.

Prosecution of this case is being handled by the U.S. Attorney's Office, Eastern District. Dr. Albert faces a maximum of 20 years in prison.

More information — <http://goo.gl/X3811>



CYBERCRIMES

Louisville Man Pleads Guilty to Sending Child Pornography to Attorney General's Office

Andrew Edwards of Louisville entered a guilty plea in federal court to emailing child pornography to the Attorney General's Office of Consumer Protection on August 6, 2010. The email, which was also sent to media outlets and the political action committees of various political figures, contained 12 attached images. Edwards' guilty plea follows an investigation by General Conway's Department of Criminal Investigations (DCI).

Edwards faces a maximum potential penalty of five years in prison, a \$25,000 fine, and supervised release of a period of three years. His sentencing is scheduled for February 27.



Kenton County Man Arrested in Child Pornography Case

Sixty-one-year-old Glenn Hurtt of Covington, Ky. is accused of possession and distribution of child pornography following an undercover investigation by General Conway's Cybercrimes Unit.

Hurtt entered a not guilty plea at his arraignment in Kenton District Court on December 6, 2011.

Madison County Man Indicted in Child Pornography Case

A Madison County grand jury has indicted 36-year-old James Rogers on 10 counts of possession of matter portraying a sexual performance by a minor following an investigation by General Conway's Cybercrimes Unit. Cybercrimes investigators, with assistance from Kentucky State Police, arrested Rogers, a former Richmond Police officer, on December 6, 2011 at his Richmond, Ky. home following the execution of a search warrant.

The charges against Rogers stem from an undercover investigation by the Attorney General's Cybercrimes Unit that began on November 19, 2011. Prosecution of this case is being handled by General Conway's Office of Special Prosecutions.

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

Since its creation in June of 2008, General Conway's Cybercrimes Unit has launched more than 230 child pornography investigations and seized more than 300,000 child pornographic images and videos from the Internet. The unit is also a member of the Internet Crimes Against Children (ICAC) Task Force.



Attorney General Conway Announces Indictment of Hopkins County Psychiatrist

A Hopkins County grand jury has indicted Hanson, Ky. psychiatrist Dr. Lawrence Edward Sues on 14 counts of Medicaid fraud following an investigation of his billing practices. The charges are Class D felonies punishable up to a maximum of five years in prison on each count if convicted.

The indictment alleges that Dr. Sues intentionally or wantonly submitted fraudulent and false claims to Medicaid by claiming he provided interactive individual therapy sessions that paid at a higher rate than the insight oriented sessions he actually performed. The indictment also alleges that he fraudulently billed for family therapy sessions.

Investigators from Attorney General Conway's Office of Medicaid Fraud and Abuse Control investigated this case and prosecutors from the office are handling the prosecution of the case in Hopkins County Circuit Court.

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

Attorney General’s Medicaid Fraud Investigator Joins Elite Ranks of “Accredited Health Care Fraud Investigators”

The National Health Care Anti-Fraud Association (NHCAA) announced in December that Kelly Hensley, an investigator in the Attorney General’s Office of Medicaid Fraud and Abuse Control, had become an “Accredited Health Care Fraud Investigator (AHFI).”

“This is a wonderful personal achievement for Kelly, and I am honored to have her on my staff,” said General Conway. “It is because of the hard work and dedication of investigators like Kelly that my office has been able to recover more than \$215 million for the state and federal Medicaid programs over the past four years.”

The AHFI program was created to reflect the considerable specialized skills, knowledge and experience that the detection and investigation of health insurance fraud demand.

“Kelly Hensley epitomizes those qualities at the highest levels, and NHCAA is very proud to recognize her achievement,” said NHCAA’s Director of Investigation Support, Michael J. Costello.