



KENTUCKY

General News

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Attorney General Conway Announces Review of Mortgage Foreclosures

Attorney General Jack Conway is part of a multistate group looking into allegations of deceptive and improper mortgage foreclosure practices by some of the nation's biggest lenders. The multistate group, which includes the attorneys general from 50 states, was formed to determine whether individual mortgage servicers improperly submitted affidavits or other documents in support of home foreclosure actions filed in state court.

"Due to the recent information uncovered, it was important to act quickly in a coordinated and uniform fashion to protect consumers," General Conway said.

Additionally, it appears that many affidavits were signed outside of the presence of a notary public; an illegal process known as "robo-signing."

The group is comprised of both state attorneys general and state bank and mortgage regulators, including the Kentucky Department of Financial Institutions.

More Information — <http://goo.gl/i2Fi>



Attorney General Conway Signs Kentucky Safe Schools Week Proclamation

Flanked by students and teachers from Louisville's Dunn Elementary School on Oct. 15, Attorney General Conway signed the Kentucky Safe Schools Week Proclamation. The initiative is designed to raise awareness about bullying, cyberbullying and Internet abuse.

"It is vital that community leaders, parents, educators and kids work together to prevent bullying and to promote safer schools across the Commonwealth," General Conway said.

General Conway urges Kentucky parents to monitor their children's online activities and talk to them about bullying and staying safe online.

The Kentucky Center for School Safety also participated in the event.



Kentucky Attorney General
Jack Conway

AG Conway & Partners Distribute Prescription Drug Abuse Informational Poster

Pharmacies across Kentucky are being asked to display an informational poster warning Kentuckians about the dangers of abusing prescription drugs and the importance of monitoring and securing prescription drugs in the home. The posters were created as part of a statewide prescription drug abuse educational initiative launched by Attorney General Conway, the Kentucky Pharmacist Association, the Kentucky Justice Cabinet and its Office of Drug Control Policy, Operation UNITE, National Association of Drug Diversion Investigators (NADDI) and concerned parents.

“We want the public to realize that with easy access to medications, kids today are becoming drug addicts in their own homes,” General Conway said. “By monitoring and securing prescription medications and disposing of expired or unneeded pills, we can stop this abuse before it starts.”

The partners are also speaking to middle and high school students about prescription drug abuse. Programs have been held at Highlands Middle School in Ft. Thomas and Lexington’s Dunbar High.

For more information on General Conway’s prescription drug abuse prevention and education program, visit <http://ag.ky.gov/rxabuse>.



The poster features a central image of a yellow pill bottle with a white label that reads: "MONITOR prescription drugs in your home", "SECURE prescriptions in a locked storage area", and "DISPOSE of unneeded prescription drugs". To the right of the bottle are three bullet points: "1 in 5 teens has abused prescription drugs", "Every day, 2500 teenagers use a prescription drug to get high for the first time", and "Overdoses are the 2nd leading cause of accidental death". Below the bottle is the slogan "Keep Kentucky Kids Safe". At the bottom, there are logos for NADDI, the Kentucky Justice Cabinet, the Kentucky Pharmacist Association, Operation UNITE, and the Kentucky State Police. Below the logos is a photograph of six individuals, with their names and titles listed underneath: Paula York (President, NADDI of Kentucky), J. Michael Brown (Secretary, Justice & Public Safety Cabinet), Dr. Clay Rhodes (President, KY Pharmacists Association), Lynn Klesick (Concerned parent), Jack Conway (Kentucky Attorney General), and Dr. Karen Shay (Concerned parent).

Prescription Drug Abuse PSA Contest Underway

Attorney General Conway is encouraging Kentucky high school and middle school students to videotape their own public service announcements (PSA) about the perils of prescription drug abuse. The statewide competition is part of the prescription drug abuse education initiative launched in September by General Conway and his partners.

Students have a chance to win either an Apple iPad or Apple iPod Touch, donated by the Kentucky Pharmacists Association and NADDI. Lexmark printers donated by Lexmark and ConnectKentucky will also be given away.

The deadline for submitting a video is November 24. Winners will be announced on December 14. For more information on how to participate in the competition, <http://ag.ky.gov/rxabuse>.



Senior Scam Jam Planned in Pikeville

Senior citizens in the Pikeville area can learn how to protect themselves from investment fraud, insurance fraud, mail fraud and identity theft at a free workshop on October 28 from 9 a.m. to 2 p.m. at the East Kentucky Expo Center, 126 Main St. As part of the Senior Scam Jam event, local senior citizens will hear a variety of fraud prevention tips from the Department of Financial Institutions (DFI), Kentucky AARP, Department of Insurance, Attorney General’s Office, BBB and U.S. Postal Inspection Service.

“The financial exploitation of the elderly can be as devastating as physical abuse,” Attorney General Conway said. “My office is committed to protecting and educating Kentucky’s senior citizens so they won’t become victims of financial fraud.”

Participants who register by calling 877-926-8300 will receive take-home materials, a free meal and a chance to win door prizes. For more information on protecting seniors, visit <http://ag.ky.gov/protecting>.



MEDICAID FRAUD & ABUSE

Kentucky to Receive \$3.1 Million in Settlement with Forest Laboratories

Attorney General Conway and his Office of Medicaid Fraud and Abuse Control have announced Kentucky will participate in a settlement with generic pharmaceutical giant Forest Laboratories over false and misleading information about the safety of antidepressant drugs Celexa and Lexapro, and Levothroid, a drug used to treat hypothyroidism.

The federal government, Kentucky and other participating states contend that Forest caused false claims to be submitted to the Medicaid program by illegally disseminating false and misleading information to physicians about the safety and efficacy of Celexa and Lexapro for use in treating pediatric patients. Forest also paid kickbacks to physicians to induce them to prescribe Celxa and Lexapro.

“Drug companies that engage in the off-label marketing of their products are a burden to taxpayers and jeopardize the health and safety of consumers,” General Conway said.

Under the terms of the settlement, Kentucky’s Medicaid program will receive \$3,173,978, which represents double the amount Kentucky Medicaid expended for prescriptions written as a result of the company’s off-label marketing. Forest was also required to execute a Corporate Integrity Agreement with the U.S. Department for Health and Human Services to insure that these illegal marketing activities do not occur again in the future.

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

Attorney General Conway Announces Settlement with Botox Manufacturer, Allergan USA

Kentucky is participating in a settlement with Botox manufacturer Allergan USA over allegations of deceptive and illegal marketing of Botox. The \$225 million settlement resolves civil and criminal claims brought by the federal government, Kentucky and other participating states that Allergan illegally disseminated unsubstantiated and misleading information to physicians that Botox was a safe and effective treatment for conditions such as headache, pain, spasticity and overactive bladder that had not been approved by the Food and Drug Administration (FDA). Allergan also paid illegal kickbacks to physicians to prescribe Botox for off-label uses and further instructed physicians how to falsify Medicaid claims.

As a result of the settlement, the Kentucky Medicaid program will receive \$472,249, which represents double the amount that Kentucky Medicaid expended for prescriptions written as a result of Allergan’s off-label marketing.

Harlan County Man Pleads Guilty to Abusing Twin Infant Daughters

A Harlan County man has pled guilty to abusing his twin infant daughters, leaving both with permanent brain damage. Twenty-nine-year-old David Michael Owens pled guilty to two counts of assault 2nd degree in Harlan Circuit Court on Oct. 11, just weeks before he was scheduled to stand trial on the charges.

Physicians at the University of Kentucky Children’s Hospital determined that bruising and bleeding in the brains of Owens’ five-month-old twins were the result of “inflicted trauma.” Kentucky State Police investigated the charges after the abuse was reported to the Cabinet for Health and Family Services. General Conway’s Office of Special Prosecutions handled the prosecution of the case at the request of the Harlan County Commonwealth’s Attorney’s office due to a conflict.

Owens is scheduled to be sentenced in Harlan Circuit Court on Nov. 18, 2010 at 11 a.m.

