



KENTUCKY

General News

November 2009

Attorney General's Investigation Targeted Forged Oxycontin Prescriptions

Attorney General Jack Conway and his Department of Criminal Investigations (DCI) announced the arrests of 15 people in Eastern and Central Kentucky on charges of possession of a forged prescription and obtaining a controlled substance by fraud. A total of 19 individuals were indicted by a Fayette County grand jury following the year-long investigation by the Attorney General's Office, with assistance from the Office of Inspector General. All of the charges are Class D felonies and each carries penalties of between one and five years in prison.



Kentucky State Police and Operation Unlawful Narcotics Investigations, Treatment and Education (UNITE) assisted in making the arrests in Fayette, Madison, Letcher and Perry counties.

"I appreciate the hard work of my investigators and our law enforcement partners involved in this case," said General Conway. "Working together, we can better combat the scourge of prescription pill abuse in Kentucky."

Last month, General Conway's Prescription Drug Diversion Task Force participated in the largest drug sweep operation in Kentucky's history along with Kentucky State Police, the FBI, Operation UNITE and the U.S. Attorney's Office, among other agencies. More than 300 people were arrested over two days in 34 Kentucky counties. The OAG task force is Kentucky's only statewide task force devoted to investigating prescription drug abuse in the Commonwealth.

More information — <http://tinyurl.com/ykr8env>

Give Wisely This Holiday Season

With a growing number of Kentucky households struggling, it is more important than ever to lend a helping hand to those in need this holiday season. Attorney General Conway urges Kentuckians to continue supporting charitable organizations, but remember to give wisely.

- ▶ Donate to charities you know and trust
- ▶ Be cautious of sound-alike charities and solicitors unable to answer questions
- ▶ Always ask what percentage of your dollar goes to the cause
- ▶ Don't be pressured into making a donation
- ▶ Ask if the charity or solicitor is registered with the Office of the Attorney General
- ▶ For more tips on charitable giving, visit <http://ag.ky.gov/civil/consumerprotection/charity/> or call 888-342-9257.

Tips for Shopping Wisely

- ▶ When buying online, only deal with companies you know and trust
- ▶ Shop only on sites that offer secure payment processing
- ▶ Avoid buying gift cards from online auction sites, the cards may be counterfeit
- ▶ Research the financial stability of a store before purchasing a gift card
- ▶ Beware of Phishing scams or emails alerting you to amazing deals on various consumer products. These could be emails sent by con artists to steal your financial information or identity.



Kentucky Attorney
General
Jack Conway

Vonage to Issue Refunds, Modify Cancellation Practices after Reaching Agreement with Kentucky and Other States

Attorney General Conway joined with the attorneys general of 31 other states in announcing an agreement with one of the nation's largest Internet-based phone service providers over its marketing practices and handling of consumer cancellation requests. As per the agreement, Vonage will provide refunds to eligible consumers and pay \$3 million to the states for reimbursement of legal and investigative costs. Kentucky's portion of the settlement is \$45,000.



This agreement will better protect Kentucky consumers by requiring that more information be disclosed," said General Conway.

Because Vonage previously paid incentives to customer service representatives for retaining customers, consumers complained that it was difficult to cancel their service. The agreement also addresses other marketing practices by the company that may have led to consumer confusion about the costs associated with Vonage equipment and service.

Kentucky consumers who believe they may be eligible for a refund as a result of this agreement can file a consumer complaint with the Attorney General's Office of Consumer Protection by calling 1-888-432-9257 or <http://ag.ky.gov/civil/consumerprotection/complaints/forms.htm>

More information — <http://tinyurl.com/yeazcw5>

Omnicare and IVAX Pharmaceuticals to Pay \$98 Million to Settle Claims of Unlawful Kickbacks

Attorney General Conway joined with other states and the federal government in reaching an agreement with Omnicare, Inc and IVAX Pharmaceuticals, Inc. to settle allegations of fraud. The companies allegedly engaged in unlawful kickback schemes that defrauded federal and state healthcare programs.



The states and federal government will receive \$112 million in civil damages to compensate Medicaid and Medicare programs for harm suffered as a result of the conduct. As part of the settlement, Kentucky will receive more than \$275,000.

Omnicare, a Maryland based company with headquarters in Covington, Ky., specializes in providing pharmacy services to long-term care facilities, while IVAX, based in Florida, manufactures generic drugs.

Since taking office in January 2008, General Conway has recouped more than \$100 million for the Kentucky Medicaid Program. That includes jury verdicts announced earlier this year against drug manufacturers Sandoz for \$16 million and AstraZeneca for \$14.7 million.

More News From General Conway's Office of Medicaid Fraud and Abuse Control

Former Group Home Administrator Pleads Guilty to Neglecting Patients

A plea agreement was reached with Terry Wallingford, a former Kentucky group home administrator accused of neglecting patients. The former administrator of New Hope, LLC in Mercer County pled guilty to one count of wanton neglect of a vulnerable adult under KRS 209.990 (3), a Class D felony. Under the terms of the agreement, Wallingford will receive a two-year sentence and he has agreed to no longer work with vulnerable adults or in the healthcare industry.

Former Nurse Sentenced in Connection With Death of Patient

A former nurse at Jefferson County's Hurstborne Care Center has been sentenced on charges related to the abuse and neglect of a patient. A judge sentenced Stacy Harrison, of Henderson, Ky., to five years in the Kentucky Department of Corrections, but granted Harrison's request to supervised probation. Harrison also agreed to forfeit his nursing license and to never again apply to be a nurse in Kentucky or any other state. While on duty in March 2008, Harrison failed to respond to a vulnerable adult when the patient was vomiting and showing signs of distress. Instead, Harrison remained at the nursing station and sent text messages and ate snacks.

Control Winter Heating Costs



Attorney General Conway and his Office of Rate Intervention warn Kentucky consumers that the 2009-2010 winter heating season could be a costly one.

“With energy prices becoming increasingly volatile, I encourage you and your family to be prepared for higher utility costs this winter,” said General Conway. “My office wants to help you control those costs, especially during these financially demanding times.”

How You Can Conserve Energy

- ▶ Turn down your thermostat as much as you can and still remain comfortable.
- ▶ Turn off lights and appliances when not in use. Shut doors and vents to rooms that are not in use.
- ▶ Replace incandescent bulbs with fluorescent bulbs.
- ▶ Understand and reduce as much phantom load as possible, i.e. unplug appliances when they are not in use.
- ▶ Consider doing an energy audit on your home. An energy audit helps you conserve and become more energy efficient.
- ▶ Weatherize your home. For more information, visit the Department for Energy Development and Independence (502-564-7192 or 800-282-0868) and Partnerships for Home Energy Efficiency at EnergySavers.gov



General Conway’s Office of Rate Intervention serves as a watchdog for consumers in matters related to natural gas, water, sewer, electric and telephone service. The office has saved consumers more than \$95 million in proposed rate increases from utility companies.