

CEO COMMENTARY

Time to address medical liability reform in Ky.

“Have you or a loved one been the victim of...”

That’s a familiar, tiresome line that is common to the non-stop personal injury lawyer commercials on our television screens. They go on to say that they are “looking out for you” and will “get you the money you deserve.”

The truth is the sponsors of these ads – often out-of-state law-suit factories – are really only looking out for themselves ... and for the next big settlement from one of the myriad frivolous suits they file.

It is time for Kentucky to say enough is enough to the personal injury lawyers who prey upon our health care providers and cost the rest of us a lot of money. Each of Kentucky’s surrounding states has already acted and it is time we do the same.

Medical malpractice liability takes a significant financial toll on Kentucky’s health care providers, including nurses, doctors, hospitals, and nursing homes that serve our communities. The growing number of meritless lawsuits against providers increases costs for consumers and diverts critical funds away from care.

That is why the Kentucky Chamber of Commerce and the state’s health care providers have formed a new group to support legislation that would expose frivolous lawsuits. The idea is to create expert medical review panels that will provide an independent review of lawsuits against health care providers to help improve the system.

It is time to return the focus and resources of health care where they belong – on caring for patients, not fighting lawsuits.

The increasing cost of civil litigation, through legal fees, higher liability insurance premiums, defensive business practices and reduced investment opportunities, is a significant burden for Kentucky’s health care and business communities. Medical review panels will stabilize our medical malpractice system, making the state more attractive to employers while helping to retain and attract quality health care providers.

Under a system including medical review panels, independent experts will evaluate whether the standard of care was violated in a medical malpractice claim.

SEE REFORM, PAGE 3



President & CEO
Dave Adkisson

P3 legislation will mean economic opportunity

CREATING ECONOMIC OPPORTUNITIES for Kentuckians and helping tax dollars go further are key elements of legislation being considered by the 2014 General Assembly.

The bill will enable the use of public-private partnerships – so called P3s – by state and local governments, creating a system in Kentucky that already exists in many states. A public-private partnership is a contract between a public entity, such as a state or local government, and a private business under which the private business builds a project or provides a service for the public. Any financial risk during the construction and/or operation of the project is assumed by the private business.

P3s have been used in other states for decades. Virginia, for example, used such a partnership to add high efficiency lanes to an interstate, and Georgia contracted with a private firm to sell advertising and marketing opportunities at interstate rest areas. The proceeds from the sales fully fund the operation of the Georgia rest areas.

But P3s aren’t limited to state projects; they can also save taxpayers money at the local level.

SEE P3, PAGE 3



Partnerships between government and private companies offer tax-saving opportunities to provide much needed projects and services for Kentuckians.

Kentucky needs legislation to make public-private partnerships – known as P3s – work on behalf of taxpayers and all citizens.



Involving the private sector can save tax dollars while providing specialized expertise and improving efficiency.



Every surrounding state has legislation authorizing public-private partnerships, but Kentucky has no P3 enabling law.



Legislation will establish a specific process to encourage government agencies to involve private companies in building projects or providing services.



Taxpayer protections will be included to make sure the state achieves its goal of providing quality services at lower costs.



Former Chamber Board Chairman Jim Booth (Booth Energy) was one of nearly 30 business leaders attending a luncheon at the Chamber with U.S. Rep. Hal Rogers on Jan. 22.



Rogers meets with Chamber leaders

U.S. REP. HAL ROGERS, from Kentucky’s 5th Congressional District, and the powerful chairman of the U.S. House Appropriations Committee, visited with members of the Kentucky Chamber’s board of directors last month. Rogers made a stop at the Chamber’s headquarters Jan. 22 after attending a Frankfort news conference to announce plans to fund high speed broadband service to eastern Kentucky. During his visit at the Chamber, he discussed a broad range of issues facing Kentucky’s business community, including the recent \$1.1 trillion appropriations bill he successfully guided through Congress.

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KENTUCKY CHAMBER NEWS

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Kentucky Chamber President & CEO Dave Adkisson is pictured here with the Owensboro School Superintendent Dr. Nick Brake (left) and Owensboro school board members who nominated him for the state award.

Adkisson named KSBA ‘Friend of Education’

KENTUCKY CHAMBER President and CEO Dave Adkisson, who most recently barnstormed the state with Education Commissioner Terry Holliday to raise awareness and support for the Common Core State Standards, was recently named Friend of Education by the Kentucky School Boards Association (KSBA).

Adkisson has headed the Kentucky Chamber since 2005, leading the organization to make improving education in the state its No. 1 priority and to become more proactive in shaping education policy.

Among those efforts were the Chamber’s adoption that same year of many legislative goals set by the Business Forum for Education and its partnering with Amazon.com on a drive that resulted in the awarding of more than 2,000 GEDs to Kentuckians.

Because of the Chamber’s more prominent education profile, Kentucky’s university presidents asked the group in 2007 to conduct an independent study of higher education in the state. In 2009, under Adkisson’s leadership, the Chamber issued its Leaky Bucket report, highlighting to Kentucky lawmakers that unsustainable growth in pensions, corrections and Medicaid was robbing education of much-needed funds. A follow-up report in 2011 continued the focus on education funding.

Adkisson was the driving force behind creation of the Leadership Institute for School Principals, which accepted its first class of 48 principals in 2011. The institute provides participants with free, year-long, personal, executive leadership training. The program, which has in-

vested \$1.5 million and benefited more than 150 principals, is supported financially by the business community.

When the Bill and Melinda Gates Foundation awarded the Kentucky Chamber a \$500,000 grant in 2012 to bolster business support for the Common Core State Standards, Adkisson joined Holliday on a statewide tour to explain the standards. During their travels, they distributed 10,000 business education kits, which later became a model for similar campaigns in other states. As part of that effort, the Chamber also recruited 85 business leaders to join Business Advocates for Education, which supported more rigorous standards.

Adkisson was nominated for the Friend of Education Award by the Owensboro Board of Education and Superintendent Dr. Nick Brake. That area of the state benefited from Adkisson’s education efforts when he served as CEO of the Owensboro Chamber of Commerce in the early 1980s. And led a Chamber effort to established Owensboro Community and Technical College.

Adkisson serves as chairman of the U.S. Chamber of Commerce’s Education, Employment and Training Policy Committee, is a founding board member of the Fund for Transforming Education in Kentucky, a former chairman of the Kentucky Advocates for Higher Education, a trustee if Georgetown College and serves on the Dean’s Leadership Council at Harvard University. An Owensboro native, he is a Georgetown College alumnus and holds a master’s degree from Harvard.

Watts speaks in support of smoke-free legislation

ASHLI WATTS, manager of public affairs for the Kentucky Chamber, spoke in support of smoke-free workplace legislation during a recent news conference. The legislation, filed by Rep. Susan Westrom and Rep. Julie Raque Adams in the House and Sen. Julie Denton in the Senate, would “extend protection from secondhand smoke to the rest of Kentucky so that everyone will have the right to breathe smoke-free air at work and in public.”



WATTS

During the news conference, Watts said employers are not only dealing with higher health care costs for employees who smoke and are exposed to secondhand smoke, but also significantly higher rates of absenteeism.

“The business community can no longer ignore the effect smoking has on our insurance premiums and on our tax bills,” said Watts. “Smoking is not only killing us, it is bankrupting us — both in terms of costs to business and medical costs to taxpayers.”

Watts also was among three panelists on Kentucky Tonight on January 20 debating the legislation. The online video is available at KET.org.

Humana’s Pattie Dale Tye joins Chamber board

PATTIE DALE TYE, president of the Large Employer Group Segment and Vice President of Humana, was recently named to the Kentucky Chamber’s Board of Directors. Tye assumed leadership of Humana’s Large Employer Group Segment in May 2012, and is responsible for Strategy and P&L of Medical and Specialty, and Humana’s Corporate Proposal Unit.



TYE

Ms. Tye joined Humana in 2005 as leader of Houston Commercial operations, which she successfully led to strong profit growth and elevated Humana’s brand to new heights in Houston. In 2010, she assumed additional leadership responsibilities for Dallas-Fort Worth, where she has led that market to two consecutive years of stronger financial results.

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LEGISLATION OUTLINES A CLEAR PROCESS FOR P3

The proposed P3 legislation establishes a clear process for the optional use of public-private partnerships for state and local governments.

It provides clear guidelines for contractors on the process and creates multiple layers of accountability and transparency on the use of P3s at the state and local level. This does not exist in current law.

P3: Legislation would promote transparency, accountability

For instance, Indianapolis established a partnership to help the city meet U.S. EPA requirements on its water and sewer lines. The result was taxpayer savings of \$200 million.

The legislation before the General Assembly mirrors recommendations released by the Chamber last year on broadening the use of P3s in Kentucky. It would create the Office of Public Private Partnerships within the Finance and Administration Cabinet. Among other things, the office would:

- encourage competition for innovative private sector investments in the Commonwealth;
- establish reliable procedures that encourage such private sector investments; and
- promote transparency and accountability in project delivery.

The bill also would allow private companies to submit “unsolicited proposals” to state officials on ways they could manage the state’s infrastructure, construction projects or services more efficiently. In other words, the creative thinking of the private sector would be put to work for public benefit.

“In times of tight state revenues, the P3 legislation will give Kentucky a money-saving alternative to financing projects and services,” noted Chamber President and CEO Dave Adkisson. “We look forward to its final passage and the improvements it will make in the way Kentucky government does business.”

REFORM: Panel would protect legitimate claims

Each side of the lawsuit will get to appoint a person on the panel, and the third person is appointed by the first two.

You will no doubt hear a litany of reasons why these panels are bad policy. Remember the source of this howling – the law firms that see Kentucky’s health care providers as their personal ATM machines.

“Medical review panel legislation will protect legitimate cases while weeding out the meritless claims that clog our courts.”

I encourage you to look past the misleading rhetoric and focus on the facts. Medical review panel legislation will protect legitimate cases while weeding out the meritless claims that clog our courts. No plaintiff will be denied a day in court, and no person will lose any legal rights whatsoever.

The independent panel provides more accountability by producing expert opinions that are admissible in court. Legitimate claims against providers would be validated while meritless claims would be quickly exposed.

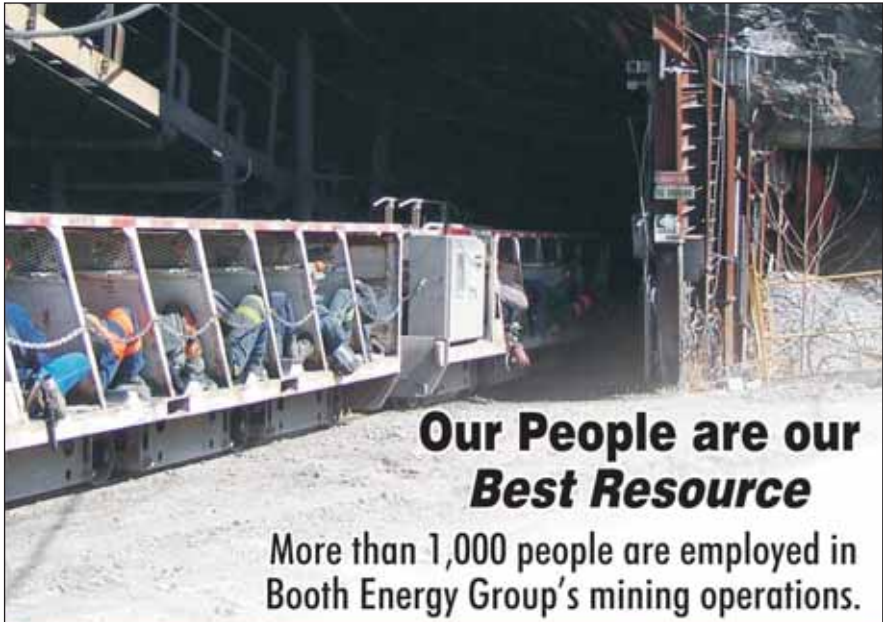
This solution is simple, fair and reasonable.

Please encourage your legislators to support medical review panels and ensure critical resources are spent where they belong, on Kentucky’s patients.

Principals complete executive leadership training



The Leadership Institute for School Principals Class of 2014 recently completed their third training session at the Kentucky Chamber’s headquarters. To date, more than 150 Kentucky principals have benefitted from the Institute, thanks to donations from Kentucky’s business community. The application process for the Class of 2015 is now open, and the Leadership Institute Board of Directors is hoping to raise enough funds to enable 78 principals to attend. Visit principalsleadky.com to find out more about the program. For information about how to donate, contact Kelly Wolf at 502-848-8725.



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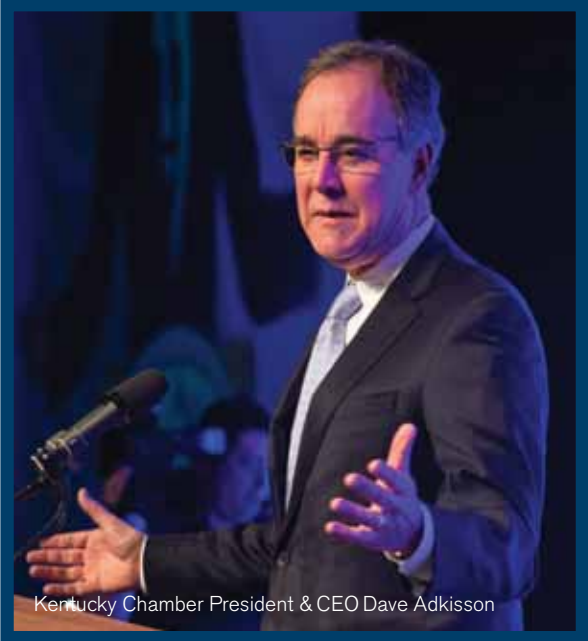
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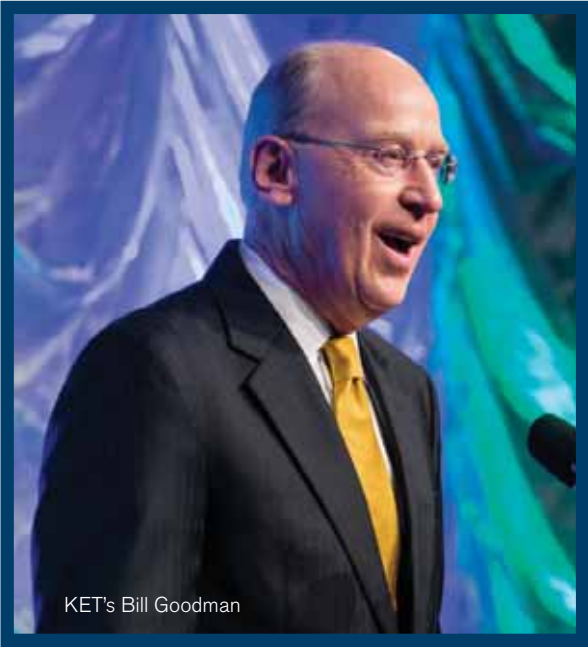
January 9, 2014 | Heritage Hall | Lexington, Ky.



Kentucky Chamber Chairwoman Elizabeth Griffin McCoy (Planters Bank)



Kentucky Chamber President & CEO Dave Adkisson



KET's Bill Goodman

The 19th Annual Kentucky Chamber Day event, presented by Fidelity Investments, saw the highest-ever number for attendees. Nearly 1,400 Kentucky business leaders, legislators, government officials, and others attended the event, held for the first time at Heritage Hall in the Lexington Center.

In addition to comments from legislative leadership and Gov. Steve Beshear, attendees also heard from Chamber President and CEO Dave Adkisson and Chairwoman Elizabeth Griffin McCoy, president of Planters Bank in Hopkinsville.

During her speech, McCoy outlined the successes of the 2013 Kentucky General Assembly and said, "It is our hope that the 2014 session will be just as successful in terms of advancing our wonderful Commonwealth. Our Chamber will work diligently to make that possible."



Kentucky Chamber Treasurer Paula Hanson (Dean Dorton)



Steve Loyal (Atmos Energy)



Rep. Rocky Adkins; Bill Jones (U.S. Bank); Wayne Martin

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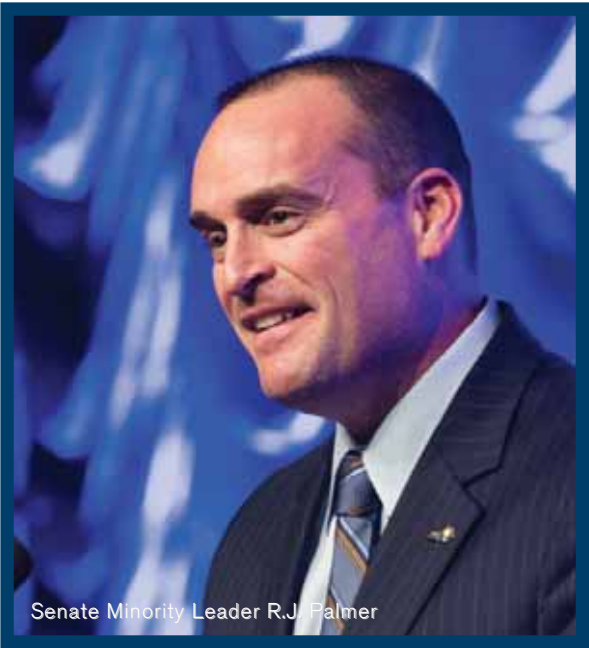
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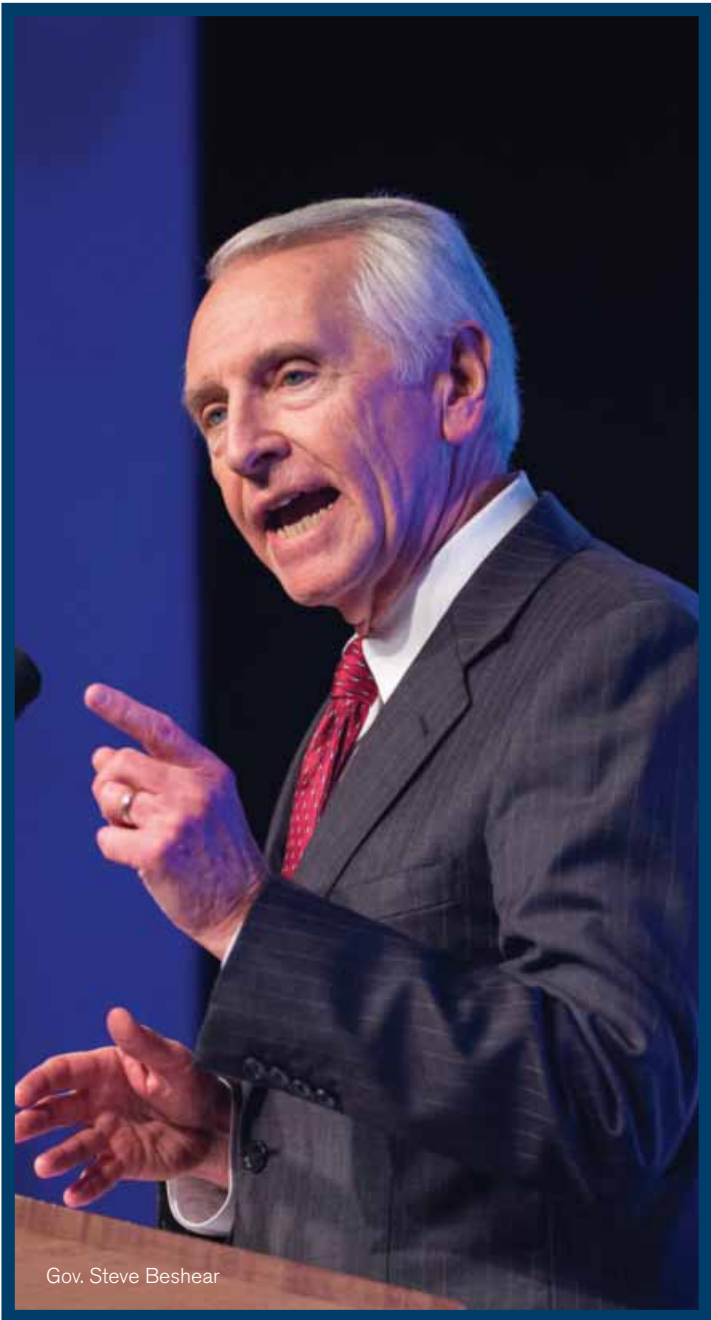
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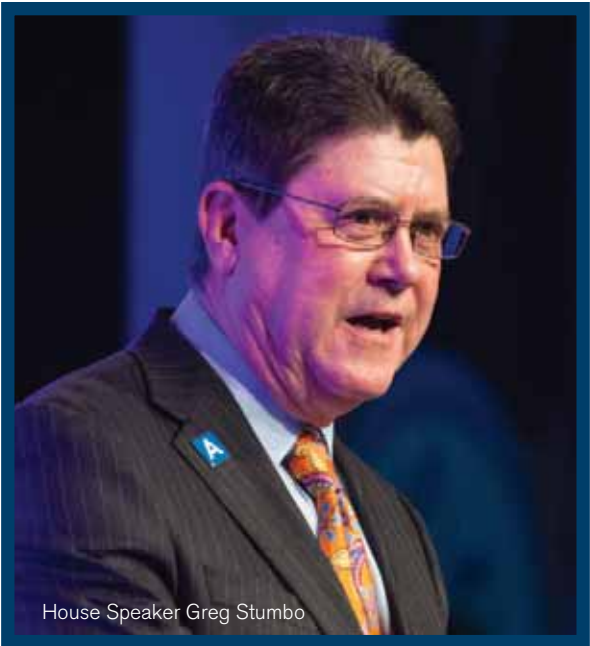
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Upcoming Events

11th Annual Ky. Workers' Compensation Conference
March 27-28 2014
Lexington

Supervising & Managing People
April 9, 2014
Louisville

10th Annual Best Places to Work in Kentucky
April 24, 2014
Lexington

26th Annual Kentucky HR Update
May 21-22, 2014
Louisville
May 28, 2014
Lexington

Register online at kychamber.com



Second edition of ACA guide now available

THE FIRST edition of the Kentucky Chamber's popular guide on the Affordable Care Act helped nearly 500 Kentucky companies better understand the changes brought about by health care reform. The second edition builds on the success of the first and reflects Act changes from the last year. Authored by the law firm of Wyatt, Tarrant & Combs, this guide will provide you with long-term and immediate impact actions, along with information on how it impacts your organization. The second edition also includes access to important forms you can personalize for your organization. Order online at kychamber.com/bookstore.

Kroger partnership to provide wellness savings to members

THE KROGER CO., the state's premier grocer and pharmacy provider, is partnering with the Kentucky Chamber of Commerce to offer its members a unique wellness program that provides their Kentucky-based employees convenient screening and coaching services, discounts and incentives and affordable supplementary insurance products.

Kentucky Chamber members with 25 or more employees will be able to offer employees the Kroger Wellness Card in conjunction with supplementary insurance products. The Kroger Wellness Card supports employees with a \$100 to \$300 benefit each calendar year when eligible insured individuals complete one routine wellness screening or procedure prior to enrolling into the program (i.e. biometric health screening, mammogram, colonoscopy, etc.).

The Wellness Card enables employees and their covered adult family members to receive help in managing their Diabetes and Heart Health conditions with a specially trained pharmacist. The pharmacist will help identify opportunities and work on a personalized program. The pharmacist will work closely with the physician to help the member improve clinical outcomes by setting goals and measuring success. Enrollees can also receive help in the areas of nutrition, meal



Through the Kroger Wellness Card program, employees of participating companies can receive counseling in the areas of nutrition, smoking cessation, medications and more at select Kroger pharmacies.

planning, smoking cessation, medications and more at select Kroger pharmacies. The benefit also can cover services at The Little Clinic, the retail clinic located in some Kroger locations.

Kentucky Chamber members participating in the Wellness Card program will also have access to discounted supplementary insurance products from participating insurance companies covering accidents, cancer and other critical illnesses.

To learn more about the program visit kychamber.com/KrogerWellness or call the Kentucky Chamber's Director of Member Services, Denise Scott, at 502-848-8724.

KEMI partnership generates nearly \$500,000 in savings for participating Chamber members

THE KENTUCKY CHAMBER'S partnership with Kentucky Employers' Mutual Insurance (KEMI) has provided huge savings for members, making workers' compensation rates more affordable and providing the resources and support necessary to improve and maintain safe working environments.

Since the program was launched on July 1, 2013, members have saved a combined total of approximately \$482,642.

"With such significant savings in such a short period of time," said Denise Scott, the Chamber's director of member services, "I believe this program not only benefits current members but also provides



a great opportunity for the Chamber to attract new members."

Members who meet specific qualifications will receive a discount of 10% on KEMI's extremely competitive rates when they choose KEMI for their workers' compensation insurance coverage. In addition to the assurance that comes with

KEMI's A- "Excellent" financial stability rating from A.M. Best, KEMI policyholders also gain access to a wealth of safety resources (such as the OSHA 10-Hour class) and, if desired, personalized on-site claims reviews.

To learn more, contact your insurance agent, visit kemi.com/kychamber or call Michael Huff, KEMI Underwriting Manager, at 859-425-7800.



Keep your company's contact information up to date with us

Attention members: If your company has recently moved to a new location, changed email addresses, or undergone staff changes, please let us know! Log on to our website and follow the instructions on how to update your company's member profile.

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Contact Denise Scott at dscott@kychamber.com or 502-848-8724 for information.



90 companies named Best Places to Work in Kentucky

THE KENTUCKY SOCIETY for Human Resource Management (KYSHRM) and the Kentucky Chamber of Commerce announce the winners in the 10th Annual Best Places to Work in Kentucky competition. The winner rankings will be announced at an awards dinner Thursday, April 24, 2014, at Heritage Hall in the Lexington Convention Center.

This year is the first in which the small/medium category has been divided, creating three categories – small companies of 15-149 employees, medium companies of 150-499 employees and large companies consisting of more than 500 employees (categories based on number of U.S. employees, only Kentucky employees surveyed). The selection process is based on an assessment of the company’s employee policies and procedures and the results of an internal employee survey. Learn more about the initiative at kychamber.com/BestPlacestoWork.

MEDIUM COMPANIES

Companies of 150 - 499 U.S. employees

Balluff, Inc.	Florence
Big Ass Fans	Lexington
Blue & Co., LLC	Louisville & Lexington
Bluegrass Cellular, Inc.	Multiple Cities
Bottom Line Systems, Inc.	Crescent Springs
Community Bank Shares	Multiple Cities
First Federal Savings Bank	Multiple Cities
Frankfort Regional Medical Center	Frankfort
Genscape Inc.	Louisville
Harrison Memorial Hospital	Cynthiana
Harshaw Trane	Multiple Cities
Hazard Community & Technical College	Hazard
Heritage Bank	Multiple Cities
ISCO Industries, Inc.	Louisville
Kentucky Bank	Multiple Cities
KORT	Multiple Cities
Mountjoy Chilton Medley LLP	Multiple Cities
Park Community Credit Union	Multiple Cities
PBI Bank	Multiple Cities
Signature Consulting Services, LLC	Louisville
Somerset Community College	Multiple Cities
Somerset Nursing and Rehabilitation Facility	Somerset
Southcentral Kentucky Community & Technical College	Multiple Cities
Stites & Harbison	Multiple Cities
Stoll Keenon Ogden PLLC	Multiple Cities
Traditional Bank, Inc.	Multiple Cities
Twin Lakes Regional Medical Center	Leitchfield
University of Pikeville	Pikeville
Van Meter Insurance Group/Employers Risk Services	Multiple Cities
V-Soft Consulting Group, Inc.	Louisville
WDRB/WMYO Television	Louisville
Wyatt, Tarrant & Combs, LLP	Louisville & Lexington



SMALL COMPANIES

Companies of 15 - 149 U.S. employees

Air Hydro Power	Multiple Cities
Alure Salon and Day Spa	Lexington
ARGI Financial Group	Louisville & Bowling Green
Associations International	Lexington & Louisville
Benefit Insurance Marketing	Lexington
Citizens Bank & Trust Co. of Jackson	Jackson & Beattyville
Connected Nation	Bowling Green
Creative Lodging Solutions	Lexington
Dean Dorton	Lexington & Louisville
Fitness Consulting Group	Elizabethtown
Hitcents	Bowling Green
Integrity IT	Lexington
Jefferson National Financial Corp.	Louisville
KESA, The Kentucky Workers' Compensation Fund	Louisville
Leachman Buick GMC Cadillac	Bowling Green
Louisville Convention & Visitors Bureau	Louisville
Luckett & Farley	Louisville
McGregor & Associates, Inc.	Lexington
Nephrology Associates of Kentuckiana, PSC	Louisville & Elizabethtown
People Plus, Inc.	Multiple Cities
River Road Asset Management, LLC	Louisville
Strategic Communications	Louisville
Strategic Marketing	Louisville
Sturgill, Turner, Barker & Moloney, PLLC	Lexington
Symbiotix, Inc.	Lexington & Danville
Tenmast Software Company	Lexington
The Heritage Nursing & Rehabilitation Facility	Corbin
Unified Trust Company	Lexington & Louisville
Veterinary Data Services, Inc.	Nicholasville

LARGE COMPANIES

Companies of greater than 500 U.S. employees

Aerotek Inc.	Multiple Locations
Allconnect	Lexington
Baptist Health Louisville	Louisville
Bingham McCutchen LLP	Lexington
Booz Allen Hamilton, Inc.	Radcliff & Ft. Campbell
Corning Incorporated	Harrodsburg
Crowe Horwath LLP	Lexington & Louisville
CSI	Multiple Cities
Edward Jones	Multiple Cities
Exceptional Living Centers	Lexington
Farm Credit Mid-America	Multiple Cities
First Corbin Long Term Care	Multiple Cities
Genentech	Louisville
GILT Groupe	Multiple Cities
Hilliard Lyons	Multiple Cities
iPay Solutions, A Division of ProfitStars	Elizabethtown & Louisville
Kentucky American Water	Lexington & Owenton
Montgomery County School System	Mount Sterling
Neace Lukens, An Assured Partners Company	Multiple Cities
Neustar, Inc.	Louisville
NPAS; Parallon Business Solutions	Louisville
Papa John's Corporate	Louisville
Pikeville Medical Center	Multiple Cities
Sazerac Company	Louisville
Stantec	Lexington & Louisville
Stock Yards Bank and Trust Company	Multiple Cities
The Sullivan University System	Multiple Cities
Total Quality Logistics	Multiple Cities
Trilogy Health Services, Inc.	Multiple Cities

Winners listed in bold are Kentucky Chamber members.

Chamber releases study on state’s economic conditions

AT THE END OF DECEMBER, the Kentucky Chamber of Commerce released a report on the state’s economic conditions. The study, conducted by the Chamber’s Senior Economic Advisor Dr. Paul Coomes, looks at data from local fiscal reports and federal databases from 2007 to 2013. The data covers



wage and salary growth, job growth, and housing market indicators. Download the report at kychamber.com/economicreport.

“This data shows where Kentucky’s economy stands now and compares it to pre-recession levels,” said Chamber President and CEO Dave Adkisson. “Paul Coomes has done a great job of taking regional economic data to give us an excellent overview of how Kentucky is regaining its footing after the recession.”

The data, while relevant to Kentucky as a whole, provides specific information about the following regions across the state: Bowling Green, Hopkinsville, Henderson, Lexington, Owensboro, northern Kentucky, Elizabethtown, Richmond, Paducah, Somerset, Ashland, and Louisville.

Coomes is an emeritus professor of economics at the University of Louisville and a special consultant to the Urban Studies Institute at U of L. His area of expertise is regional economics, especially Kentucky and the Louisville region. He has been informing policy decisions through applied research in Louisville for 25 years.



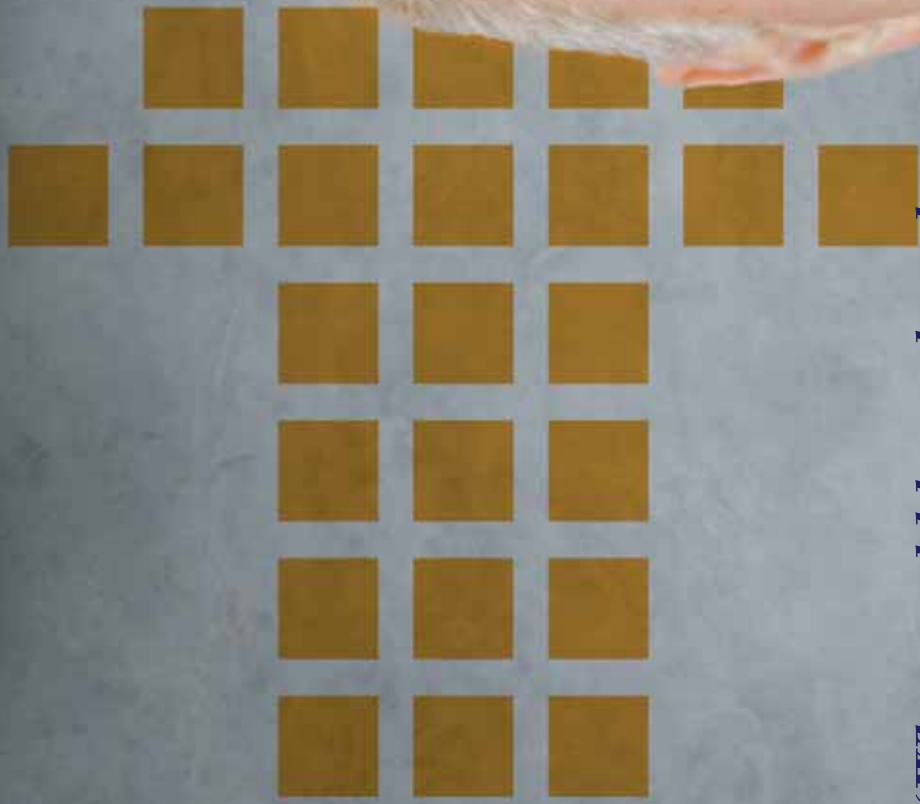
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*The Economic and Health Impacts of Obesity. Institute on the Costs and Health Effects of Obesity. National Business Group on Health. February 2009.
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“Who would have thought that spending a day on a farm could help me become a better leader?”

*-Richard Basham
Leadership Kentucky alumnus, 2006.*

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The Commonwealth is the only state in the region without Public-Private Partnership (P3) legislation. The Kentucky Chamber is working to change that.