Don for five years when I first got out of law school. I knew the caliber of law he practiced. Everyone at this firm is an experienced litigator."

The decision of Quintairos to move into Kentucky was partly because the state has become a hub for senior care and long-term health care businesses but also because the state has a unique legal environment that encourages large civil awards for plaintiffs, Miller noted.

"Although our state is fairly conservative politically, it is also very liberal in terms of civil recovery for plaintiffs," Miller said, referring to the state's lack of a cap on jury awards in personal injury cases.

"In a way, we're perceived as being the Wild West, like Florida and Texas used to be before they tightened up. Attorneys see Kentucky as fair game," he said. "Certain industries are relatively easy targets for lawsuits: trucking companies, insurance companies and nursing homes. Kentucky, of course, is the national headquarters for several long-term care firms."

Miller foresees no change in the near future: "No tort reform would be possible here without amending the state constitution. That would be very difficult because it would need a vote by the people and require a huge educational effort and spending lots of money."

Long-term care facilities pulled out of Florida and Texas before they had tort reform, he noted. "Now they're trickling back."

He views long-term health care as a very necessary industry as the nation grows older. "But most Americans have not been educated about the progression of life and how the body deteriorates as people age," Miller said. "Lawsuits play on this lack of knowledge. Dementia grows as the body deteriorates. Falls occur and someone dies. Relatives sue the nursing home saying, 'You accelerated the deterioration of my loved one. You're responsible for them dying.'"

Many skilled nursing businesses are perceived by people as hospitals, but they're not, Miller said. "They're not intended to be acute care facilities. They are the residents' homes."

Top row (L – R): John Carroll, Kristin Lomond, Don Miller, Tanisha Hickerson, Fred Reinecke, J. Peter Cassidy III
Bottom row (L – R): A. Pete Pullen, Tiffany Phillips, Jan Ahrens.