

KINDRED HEALTHCARE, INC  
Form 8-K  
May 05, 2009

**UNITED STATES**  
**SECURITIES AND EXCHANGE COMMISSION**

**Washington, D.C. 20549**

**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the**

**Securities Exchange Act of 1934**

**Date of Report (Date of earliest event reported): May 4, 2009**

**KINDRED HEALTHCARE, INC.**

(Exact name of registrant as specified in its charter)

**Delaware**  
(State or other jurisdiction  
of incorporation or organization)

**001-14057**  
(Commission File  
Number)  
**680 South Fourth Street**

**61-1323993**  
(IRS Employer  
Identification No.)

**Louisville, Kentucky**  
(Address of principal executive offices)

**40202-2412**  
(Zip Code)

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Registrant's telephone number, including area code: (502) 596-7300

**Not Applicable**

(Former name or former address, if changed since last report)

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation to the registrant under any of the following provisions:

- .. Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- .. Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- .. Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- .. Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

**Item 2.02. Results of Operations and Financial Condition.**

On May 4, 2009, Kindred Healthcare, Inc. (the Company ) issued a press release announcing its financial results for the first quarter ended March 31, 2009 and providing earnings guidance for the second quarter of 2009 and maintaining its earnings guidance for fiscal 2009. The press release, dated May 4, 2009, is attached as Exhibit 99.1 to this Form 8-K. On May 4, 2009, the Company also made the press release available on its website at [www.kindredhealthcare.com](http://www.kindredhealthcare.com).

The information contained herein is being furnished pursuant to Item 2.02 of Form 8-K, Results of Operations and Financial Condition. This information shall not be deemed filed for purposes of Section 18 of the Securities Exchange Act of 1934, as amended (the Exchange Act ), or incorporated by reference in any filing under the Securities Act of 1933, as amended, or the Exchange Act, except as shall be expressly set forth by specific reference in such a filing.

**Item 7.01. Regulation FD Disclosure.**

Incorporated by reference is a press release issued by the Company on May 4, 2009, which is attached hereto as Exhibit 99.1. This information is being furnished under Item 7.01 and shall not be deemed filed for purposes of Section 18 of the Exchange Act, or otherwise subject to the liability of such section.

**Item 9.01.**

(d) Exhibits

Exhibit 99.1 Press release dated May 4, 2009.

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereto duly authorized.

Date: May 5, 2009

By: /s/ Richard A. Lechleiter  
Richard A. Lechleiter  
Executive Vice President and  
Chief Financial Officer