

At least 14 NY counties and NYC suing opioid companies

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At least 14 counties across New York are suing pharmaceutical companies for what they're claiming are deceptive marketing practices meant to minimize the addiction risks associated with opioids.

On Jan. 24, Ithaca became one of the first cities in New York to file a similar suit, just a day after New York City filed its own.

The practice, detailed in one part of a multi-part USA Today Network series, is spreading across New York and the country, with at least 14 states suing opioid manufacturers, according to data from governing.com. A large number of counties in Kentucky, Ohio and West Virginia are filing suits separate from their states.

In September 2017, a bipartisan coalition of 41 state attorneys general said they were filing subpoenas to look into how opioid manufacturers marketed and distributed their products.

In New York, Suffolk was the first county to file suit. All other counties and cities filing have been ordered to coordinate their suits via a Suffolk County judge, said Joe Ciaccio, associate with Napoli Shkolnik, a New York-based law firm representing counties across the state and nation.

Broome County filed its suit Feb. 1 of last year, alleging in its complaint that opioid manufacturers knew about the addictive risks of their drugs, and despite this, "in order to expand the market for opioids and realize blockbuster profits," launched a "coordinated, sophisticated and highly deceptive marketing campaign that began in the late 1990s, became more aggressive in or about 2006, and continues to the present."

The Steuben County Legislature in November gave the county attorney the power to accept bids for representation in its own case, which the county has not filed yet, according to a search of the New York State Unified Court System database.

On Jan. 5, Tompkins County filed its suit. The introduction to the suit begins, "This case is about one thing: corporate greed. Defendants put their desire for profits above the health and well-being of Tompkins County consumers at the cost of the plaintiff."

That claim — that pharmaceutical companies' misrepresentation of opioids' risks cost municipalities exorbitant amounts of money, in the form of emergency services, medical care, law enforcement and employee health coverage — is the basis of all these suits.

It mirrors the claims made by attorneys general in the late 1990s, when states sued tobacco companies en masse.

Those cases ended in 1998 with the Tobacco Master Settlement Agreement, in which companies agreed to pay at least \$206 billion to states for the first 25 years of the agreement.

Chemung — which, as of 2016, was the New York county with the highest opioid prescription rate, according to data from the Centers for Disease Control — has not filed suit.

Here are the counties and municipalities suing opioid manufacturers: Suffolk, Dutchess, Broome, Erie, Orange, Oswego, Seneca, Sullivan, Nassau, Schenectady, Schoharie, Rensselaer, Niagara, Tompkins, City of Ithaca, New York City.

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