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County considers joining lawsuit against opioid industry

Damages would pay for recovery efforts

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Posted Wednesday, November 15, 2017 12:00 am

COMMENT

Kathleen Sturgeon (<mailto:kathleen@appenmediagroup.com>)

FORSYTH COUNTY, Ga. — The Forsyth County Board of Commissioners is considering teaming up with other municipalities to join a lawsuit in the fight against opioids.

The board heard a presentation Nov. 7 by Shayna Sacks, a partner with Napoli Shkolnik PLLC, which is part of the group pursuing a lawsuit on behalf of local governments seeking damages to cover the costs associated with the drug epidemic. The award would help cover expenses associated with substance abuse programs, healthcare, environmental, medical examiner, lost productivity, foster care, Narcan and increased law enforcement.

Other local jurisdictions considering joining or that have already joined include Fulton County, Henry County, DeKalb County, Newton County and Clayton County.

State Rep. Vernon Jones spoke to the board saying opioids are impacting local governments' budgets.

"The opioid epidemic has no boundaries," Jones said. "No jurisdiction, gender, race, age or anything. It's killing people. Because of the opioid crisis, similar to the tobacco litigation, it's having an impact on the sheriff's office with the jail, the drug courts, local hospitals and substance abuse programs paid for by the local government."

In 2015, over 300 million prescriptions were written for opioids, more than enough to give every American adult their own bottle of pills, Sacks said. That includes Vicodin, OxyContin and Opana.

From 1999 to 2013, opioids have claimed more than 175,000 lives, with more than 16,000 deaths attributed to opioid overdoses alone in 2013.

In Georgia, the overdose death rates have steadily increased from 1999 to 2015, nearly a nine-fold increase overall, Sacks said.

In the United States, prescription opioid abuse costs are about \$55 billion annually.

The law firm is filing suit on behalf of municipalities, states/attorney generals, individuals and unions against the drug manufacturers, distributors, prescribers and pharmacies.

Some of the major drug distributors in the country have seen billions of dollars in sales, she said. Purdue Pharma manufactures OxyContin and Dilaudid, among others, and has generated from \$2 to \$3 billion annually in sales of OxyContin alone. Sacks said they are the "grandparent" of the epidemic.

The causes of action are negligence, false advertising, nuisance, consumer fraud, and unfair and deceptive practices, Sacks said.

The history of the opioid crisis dates back to the 1990s when influential journal articles and key opinion leaders encouraged physicians to prescribe the medications, downplaying addiction risks, Sacks said.

"The pharmaceutical industry began aggressively marketing their drugs," she said. "Pill mills began popping up around the country as communities were flooded with prescription opioids. Over the next decade, people quickly grew addicted to the drugs. For many, the addiction evolved into heroin use."

The county attorney will review the lawsuit and will have until Nov. 30 to decide whether to join the suit.

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