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By Kathy Welsh

Putnam County Agrees to Sue Pharmaceutical Companies Over Opioid Epidemic

CARMEL (NY) – Determined to battle the cause of the opioid crisis in Putnam, County Executive Mary Ellen Odell urged the Legislature to allow the government to join various states and counties across the country in filing lawsuits against both pharmaceutical companies and distributors, which have created the nationwide opioid epidemic through the fraudulent and negligent marketing and distribution of opioid pain medications.



Sales of prescription opioid painkillers have quadrupled since 1999, according to the Centers for Disease Control and Prevention.

“New York State has been one of the hardest hit states in the nation, with the rate of prescription and heroin overdoses exceeding almost every other state in the country; and Putnam County is not immune from it,” said Odell. “Through our One Army in the War Against Addiction the county has worked with law enforcement agencies and many not-for-profit organizations to fight the battle within our communities through awareness, education and enforcement, but we need to do more.”

She added, “As president of the New York Association of Counties, I think it is imperative that we learn from the tobacco lawsuits of the 1990s and collectively go after the source of the prescription opioid epidemic—the pharmaceutical manufacturers and distributors, and hold them accountable

for the fraudulent and negligent practices they engaged in which caused immeasurable harm to Putnam County residents and taxpayers.”

At a special full legislature meeting held on Tuesday, Nov. 21, the Legislature voted 8-0, with legislator Dini LoBue absent, to have the law firm of Napoli Shkolnik PLLC to represent Putnam County’s interests in the New York Opioid Cost Recovery litigation.

Napoli Shkolnik, which has recently been named co-lead council in the coordinated opioid litigation, has been investigating potential claims on behalf of both individuals and governmental entities against pharmaceutical manufacturers and distributors. The law firm recommends that claims for deceptive acts and practices, false advertising, public nuisance, fraud, unjust enrichment, as well as other State specific violations be brought against the largest manufacturers and marketers of opioid. Those companies include: Purdue Pharmaceuticals, Teva Pharmaceutical Industries, Inc., Johnson and Johnson, and Endo Pharmaceuticals, as well as the largest distributors of these drugs, including McKesson Corp., Cardinal health Inc. and AmerisourceBergen Corp.

The goal of the proposed litigation would be to fully compensate Putnam County for unnecessary cost incurred as a result of prescription opioid abuse, including workplace costs relative to loss of productivity, healthcare costs such as abuse treatment and criminal justice costs.

“I believe everyone has known someone, directly or indirectly, affected by the devastation of opioids,” said Leg. Ginny Nacerino, chairwoman of the Putnam County Legislature. “The Legislature’s 8-0 support of this resolution speaks volumes to the value we place on the health, safety and welfare of our residents and has little to do with monetary gain. We are proud to stand shoulder to shoulder with our neighbors to fight those responsible for the opioid epidemic which has plagued and devastated our communities. It is important to raise awareness to the origin, and it is time for those companies to take responsibility. Unfortunately, the damage created by such negligence and depravity is irreversible, resulting in both pain and suffering and the loss of many lives. It is truly shameful.”

In addition to Putnam, other New York counties participating in the lawsuit include: Broome, Dutchess, Erie, Genesee, Nassau, Niagara, Orange, Saratoga, Schenectady, Seneca, Sullivan and Suffolk.