

Indiana Attorney General Curtis Hill files lawsuit against 3 opioid distributors

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Indiana Attorney General Curtis Hill filed a lawsuit in Marion County Tuesday against three drug distributors Hill said are responsible for a "commanding share" of prescription opioids sold to Indiana pharmacies between 2008 and 2014.

A 217-page complaint filed in Marion Superior Court alleges that AmerisourceBergen Drug Corp., Cardinal Health and McKesson Corp. "played an integral role in the explosion of the opioid crisis and profited from that role." The complaint alleges the three distributors violated Indiana law by:

Designing flawed systems that failed to adequately identify, report and prevent the shipment of suspicious orders for opioids,

Failing to adhere to the terms of their own anti-diversion programs for opioids, and

Unfairly and deceptively marketing prescription opioids.

The companies sold "ever-increasing quantities of prescription opioids in Indiana" and ignored "mounting evidence" that sales were "far-outpacing legitimate need," the complaint alleges.

"When they conduct themselves responsibly, distributors should function as a significant line of defense to protect the public from too many pills flooding into our communities and being diverted away from legitimate medical channels," Hill said in a news release announcing the lawsuit. "In Indiana,

these distributors failed to meet their legal obligations, and the results have been devastating.”

The lawsuit was filed one day after a tentative settlement was reached in an Ohio lawsuit that was viewed as a harbinger for legal claims filed by more than 2,700 local and state governments. McKesson Corp., Cardinal Health Inc., AmerisourceBergen Corp. — which are also the defendants in the Indiana lawsuit — and drug-maker Teva Pharmaceutical Industries Ltd. will pay a total of \$215 million under terms of the deal, said Hunter Shkolnik, who represents Cuyahoga County.

From 2012 to 2016, there were 58 Indiana counties with opioid-prescribing rates greater than 100 prescriptions per 100 residents per year, according to the Indiana attorney general's office. As of 2012, Indiana had the ninth-highest rate of opioid prescriptions per capita in the country, the AG's office said.

More than 3,000 Hoosiers died of opioid overdoses between 2010 and 2016, according to the attorney general's office.

In the lawsuit, the state seeks civil penalties, damages, repayment of ill-gotten gains and other relief.

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