

Palm Beach County picks legal team to pursue opioid litigation

By Skyler Swisher | March 13, 2018 | Sun Sentinel

Palm Beach County has joined a growing legal battle against drug companies to recoup the costs of fighting an opioid epidemic that is killing more than 1,000 people every year in South Florida.

Commissioners voted 4-2 Tuesday to select a legal team consisting of The Ferraro Law Firm; Napoli Shkolnik PLLC; and Stull, Stull & Brody.

Lawsuits aimed at the pharmaceutical industry have accused drug companies of misleading patients and doctors about the dangers of prescription medication, producing a public health emergency that is straining government services.

Attorneys say they expect to recoup damages that could exceed the totals reached in landmark litigation against tobacco companies.

“The only thing these companies truly understand is money,” said Paul Napoli, one of the lawyers who will be representing the county.

Palm Beach County joins other local governments in seeking relief. More than 300 cities and counties across the country are pursuing litigation, including Broward County, Fort Lauderdale and Delray Beach.

Nine teams of attorneys submitted proposals to the Palm Beach County.

Drug makers and drug distributors have denied wrongdoing. In response to a lawsuit filed by Osceola County, Purdue Pharma issued a statement that the company followed all federal guidelines, helped law enforcement

gain access to the overdose antidote naloxone and developed three new opioid medications with “abuse-deterrent properties.”

Before a crackdown seven years ago, Florida was known as the nation’s pill mill capital, where doctors handed out oxycodone and other powerful painkillers like candy at storefront clinics. In 2010, 98 of the top 100 opioid-prescribing physicians were in Florida, according to the Drug Enforcement Agency.

Now, medical examiners are seeing unprecedented overdose deaths caused by heroin and ultra-potent synthetic versions of the drug.

As a destination for people seeking recovery, Palm Beach County has been hit hard by the opioid epidemic. The county recorded 606 opioid overdose deaths in 2017, up from 596 in 2016, Palm Beach County Chief Medical Examiner Dr. Michael Bell said.

Palm Beach County Fire Rescue estimates it costs about \$1,500 to respond to an overdose call, and more than 4,000 were recorded in 2016, totaling \$6 million in added costs.

Commissioners Mack Bernard and Dave Kerner cast dissenting votes, citing concerns about a part of the contract that makes the law firms responsible for all possible costs in the case.

They wanted an opinion from The Florida Bar on whether such a provision was allowable.

But County Mayor Melissa McKinlay urged the board to act quickly given that people are dying of overdoses every day in the county.

Last year, the county allocated \$3 million in local funding specifically to address the opioid. Funds will be used to open an opioid overdose emergency room where paramedics could take people with addiction and

connect them with treatment, expand the number of treatment beds and hire an administrator to coordinate the county's response.

The Florida Legislature approved \$53 million in funding for treatment and prevention, along with limitations on opioid prescribing and additional training for doctors.

Orlando Sentinel staff writer Ryan Gillespie contributed to this report.

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