

Grafton, Sullivan Officials Sign On to Opioid Lawsuit

By Patrick O'Grady | June 22, 2018

Newport — Commissioners in Grafton and Sullivan counties have voted to join a class-action suit that alleges the makers of prescription painkillers gave doctors misleading information about the addictive qualities of the drugs, leading to the opioid epidemic in New Hampshire and elsewhere in the United States.

The Sullivan commissioners voted in support of the suit this week, while commissioners in Grafton County voted on June 5.

Other plaintiffs in New Hampshire include Merrimack, Cheshire, Belknap and Strafford counties and the cities of Manchester, Keene, Concord and Nashua. The counties and cities are being represented by the Bonsignore and Napoli-Shkolnik law firms.

The class-action suit will be part of a larger suit heard in federal court in Ohio.

Sullivan County Commissioner Ben Nelson said on Thursday it made sense for the county to join the suit considering the fact it will not cost money and, if successful, will benefit the county directly.

“The tobacco money never trickled down, but this money would actually go where it is needed,” Nelson said about a similar suit against large tobacco companies that was settled in 1998. “Unlike tobacco, it would go to the grassroots. We are on the front lines of substance abuse and there are real costs to this.”

Grafton County Commissioner Linda Lauer said the opioid crisis has cost her county taxpayers a tremendous amount of money.

“This isn’t simply individuals misusing drugs. It is about manufacturers and distributors telling doctors that these drugs were not addictive when they knew they were,” Lauer said. “I think there is some liability there.”

Lauer said the lawsuit is an effort to recoup some of the money the county has had to pay to deal with those affected by the epidemic.

“The Grafton County taxpayers have subsidized opioid crisis treatment in a lot of ways, including the drug court and some of those in adult and juvenile diversion programs,” Lauer said. “The whole opioid issue has cost taxpayers, not to mention the human cost.”

Nelson and Lauer said the counties will be asked to provide data in support of the suit, but will not need additional staff for that work.

“The lawyers will help us and tell us what we need,” Lauer said.

At the House of Corrections in Unity, Superintendent Dave Berry said he has not yet been told what records to provide, but said he plans to look as far back as 2010.

The research will involve determining which inmates believe their addiction is a direct result of opioid use.

As for figuring the actual cost to treat each inmate, Berry said he believes they can come up with a fairly accurate number.

According to the National Institute on Drug Abuse’s website, New Hampshire had the second highest per-capita rate of opioid-related overdose deaths in the country in 2016 with 437 opioid-related overdose deaths, or 35.8 deaths per 100,000 people. That was nearly 3 times higher than the national rate.

For the three-year period from 2013 to 2016, opioid-related deaths increased more than tenfold, to 363 deaths from 30 deaths, the institute said.

Bonsignore and Napoli-Shkolnik will receive 25 percent of any eventual settlement under the terms of an agreement with the plaintiffs.

