

Opioids and the Courts

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National

Opioid Settlement Offer Provokes Clash Between States and Cities

New York Times

The three giant drug distributors are negotiating a deal with the states to end thousands of opioid lawsuits nationwide in which they would pay \$19.2 billion over 18 years and immediately submit to stringent monitoring requirements to assure that suspicious orders for prescription opioids would be halted.

But although pressure is building to settle the costly, protracted litigation and bring relief to communities hit hard by addiction and overdose deaths, another group of plaintiffs is objecting strongly to the terms of the deal. Cities and counties, which have brought far more cases than state governments, say they are being blindsided by state attorneys general because the proposed agreement would give states control over the money that would trickle down to them.

So far, 31 states plus the District of Columbia have tentatively agreed to the deal, while 19 states, including Florida, Connecticut, and West Virginia, have not.

According to a confidential 21-page outline of the deal obtained by The New York Times, the companies would pay in full only when all plaintiffs — including the cities and counties — have withdrawn their lawsuits. Even after a majority of states sign up, the companies would guarantee payment of just 55 percent of the money and would release the remaining 45 percent only when each state can confirm that its cities and counties are on board.