

RESOLUTION 2018-02

A RESOLUTION RECOGNIZING THE DEVASTATING EFFECTS OF THE OPIOID CRISIS AND SUPPORTING THE PURSUIT OF LEGAL ACTION AGAINST MANUFACTURERS AND DISTRIBUTORS OF OPIOIDS

WHEREAS, the Centers for Disease Control has declared that the United States is experiencing an opioid-induced “public health epidemic;” and

WHEREAS, 91 Americans die each day from opioid-related drug overdose; and

WHEREAS, opioid pain relievers, including oxycodone, hydrocodone, fentanyl, and hydromorphone are responsible for three-fourths of all prescription drug overdose deaths; and

WHEREAS, nearly one in three Utah adults (32%) were prescribed an opioid pain medication in 2014; and

WHEREAS, Utah has the seventh-highest drug overdose rate in the United States with an average of six people dying per week (one death nearly every day) and 24 deaths each month as a result of overdosing on prescription opioids; and

WHEREAS, according to the State Department of Health, the rate of prescription opioids dispensed in Utah from 2002 to 2015 grew by 29.4%, averaging nearly five opioid prescriptions per patient in 2015; and

WHEREAS, since 2002, drug poisoning deaths per 100,000 in population have increased at an alarming rate and prescription opioids have been responsible for more drug deaths in Utah than all other drug categories, such as benzodiazepines, over-the-counter medications, or illicit drugs; and

WHEREAS, drug poisoning deaths are a preventable public health problem that has outpaced deaths from firearms, falls, and motor vehicle crashes in Utah since 2002; and

WHEREAS, Tooele County is experiencing opioid-related deaths at the same pace as the rest of Utah; and

WHEREAS, there are significant economic impacts caused by the opioid epidemic – \$55 billion in health and social costs, and \$20 billion in emergency department and inpatient care; and

WHEREAS, counties often bear the brunt of these costs, paying both for the treatment and incarceration of addicted persons and the deep social cost that the loss of a significant population of productive community members has in the region; and

WHEREAS, the North American prescription opioid market exploded to a value of \$12.4 billion in 2015 with an expected annual growth rate of 4.6%; and

WHEREAS, prescription opioid manufacturers realized these profits as thousands of individuals lost their lives, having fallen victim to prescription opioid addictions; and

WHEREAS, practices of manufacturers, distributors, and sellers of opioid painkillers have contributed to the epidemic; and

WHEREAS, beginning in the 1990s, opioid manufacturers lied to both doctors and the public about the risks of opioids and touted them as a non-addictive and safer alternative to other drugs; meanwhile, opioid distributors injected millions upon millions of opioid pills into small communities, far in excess of any reasonable need; and

WHEREAS, as a direct consequence of over-distribution, addiction has become commonplace, with death often the ultimate consequence; hard-working Americans have become addicts, first to the opioids pushed by the drug makers and distributors, and then to street drugs like heroin; and

WHEREAS, drug companies and distributors spent millions of dollars on promotional activities and materials that falsely deny or trivialize the risks of opioids while overstating the benefits of using them for long-term chronic pain, including providing funding to prominent doctors, medical societies, and patient advocacy groups to win their support for the drugs' use for chronic pain; and

WHEREAS, serious allegations have been raised that prescription opioid manufacturers have systematically engaged in deceptive marketing practices and fraudulent cover-ups to advance the sale of prescription opioids; and

WHEREAS, to date, over 250 lawsuits have been filed in federal court, with others spread across the state courts, against opioid manufacturers seeking damages for the public cost of the opioid crisis, including 16 states (Alaska, Arizona, Delaware, Illinois, Kentucky, Louisiana, Mississippi, Missouri, New Hampshire, New Mexico, New Jersey, Ohio, Oklahoma, South Carolina, West Virginia, and Washington), and dozens of counties across the country; and

WHEREAS, Tooele County has the authority to bring suit on behalf of the public under a variety of legal theories, including false advertising, abating a public nuisance, and violations of the Utah Pattern of Unlawful Activity Act.

NOW, THEREFORE, BE IT RESOLVED BY THE TOOEELE COUNTY COMMISSION that:

Section 1: Tooele County shall work on a sustainable, comprehensive public health approach to the opioid crisis in order to address preventable drug overdose deaths.

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Section 2: Tooele County shall pursue legal action against drug manufacturers and distributors of opioids. A Complaint for Damages was filed on March 28, 2018 in the Third District Court on behalf of the County.

Section 3: Tooele County shall seek the maximum award for damages from prescription opioid manufacturers to hold them accountable for the destruction and devastation they have inflicted upon the citizens of Tooele County.

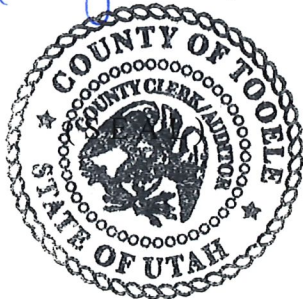
APPROVED and ADOPTED this 3rd day of April 2018.




ATTEST:

TOOELE COUNTY COMMISSION:



MARILYN K. GILLETTE, Clerk / Auditor


WADE B. BITNER, Chairman



Commissioner Bateman voted 
Commissioner Bitner voted 
Commissioner Milne voted 

APPROVED AS TO FORM:


SCOTT A. BROADHEAD
Tooele County Attorney

