

RESOLUTION NO. 1040-2014, DIRECTING THE COUNTY ATTORNEY TO DETERMINE THE FEASIBILITY OF SUFFOLK COUNTY BRINGING AN ACTION AGAINST MANUFACTURERS OF PRESCRIPTION OPIATES

WHEREAS, the County of Suffolk has been experiencing an opiate addiction crisis for many years; and

WHEREAS, from 2007-2010, opiate pain reliever abuse rose 87% in New York State, with Suffolk County and Staten Island showing the greatest increases; and

WHEREAS, this crisis has led to increased costs for County taxpayers associated with criminal behavior, as well as medical care for addicts; and

WHEREAS, County taxpayers pay each time an uninsured opiate addict receives medical care associated with their addiction; and

WHEREAS, in 2012, 8,271 emergency room visits in the County were attributed to opiate use; and

WHEREAS, over 50% of individuals treated for chemical dependency in Suffolk County in 2012 either had no insurance or were on a Medicaid plan; and

WHEREAS, County taxpayers must also pay increased costs for law enforcement associated with burglaries, robberies, murders and other crimes committed by or associated with individuals seeking opiates; and

WHEREAS, it is alleged that pharmaceutical companies engaged in deceptive marketing, convincing doctors and the public that opiate drugs, previously used to treat a small number of severely ill patients, were appropriate for long and short-term pain management and that the risks associated with using these addictive drugs were minimal compared to their benefits; and

WHEREAS, these marketing practices resulted in increased profits for pharmaceutical companies but also a surge of people addicted to prescription opiate pain relievers, some of whom moved onto street drugs like heroin as costs for prescription drugs became unmanageable; and

WHEREAS, pharmaceutical companies should be held accountable for the costs they have pushed onto County taxpayers through their irresponsible actions; and

WHEREAS, the Counties of Orange and Santa Clara in California, as well as the City of Chicago, are pursuing legal actions against pharmaceutical companies to recover the damages their actions caused; and

WHEREAS, the County Attorney should evaluate the feasibility of Suffolk County engaging in a similar legal action; now, therefore be it

1st **RESOLVED**, that the County Attorney is hereby authorized, empowered and directed to study the feasibility of commencing a lawsuit, either individually or as part of a class with other municipalities which have already filed suit, against pharmaceutical companies to recover damages for the costs incurred by County taxpayers when these companies wrongly and inappropriately marketed strong opiates; and be it further

2nd **RESOLVED**, that the County Attorney shall submit a written report of the findings and determinations of this study to the County Executive and each member of the County Legislature no later than 60 days subsequent to the effective date of this resolution; and be it further

3rd **RESOLVED**, that this Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20), (21) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

DATED: November 18, 2014

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: December 4, 2014