

**RESOLUTION NO. 146 -2015, ESTABLISHING A COMMITTEE
TO DETERMINE THE VIABILITY OF LEGAL ACTION AGAINST
DRUG MANUFACTURERS**

WHEREAS, several municipalities across the nation have taken legal action against pharmaceutical companies alleging that opioid drug manufacturers have knowingly and aggressively marketed opioids by misrepresenting the character of these drugs; and

WHEREAS, the lawsuits allege that these drug companies convinced doctors that opioid drugs, meant for short-term use by cancer patients, should be prescribed for non-cancer related pain; and

WHEREAS, these lawsuits further allege that these drug companies knowingly misrepresented the serious health risks associated with the use of these opioids; and

WHEREAS, according to the Centers for Disease Control, the sale of opioids quadrupled between 1999 and 2000; and

WHEREAS, this dramatic increase in sales led to a sharp increase in opioid abuse, addiction and overdose, across the nation and in Suffolk County; and

WHEREAS, the municipalities bringing suit against the drug companies are seeking to recover the higher criminal justice and public health costs they had to bear to address the opioid addiction crisis; and

WHEREAS, Resolution No. 1040-2014 directed the County Attorney to study the feasibility of Suffolk County bringing an action against manufacturers of prescription opiates; and

WHEREAS, the County Attorney has advised this Legislature by a memorandum dated January 14, 2015, that Suffolk County may have viable causes of action against drug manufacturers under State law for false advertising, common law fraud, public nuisance and product liability; and

WHEREAS, the County Attorney also advised this Legislature that a study to ascertain the County's actual damages, in the form of increased public health and law enforcement costs related to opioid abuse, was a precondition of any legal action; now, therefore be it

1st **RESOLVED**, that a Committee is hereby established to ascertain the actual costs that the County of Suffolk incurred as a result of the over-prescription of opioids; and be it further

2nd **RESOLVED**, that the Committee shall consist of the following members:

1. The Commissioner of the Department of Health Services, or his or her designee;
2. The County Attorney, or his or her designee;

3. The Chairperson of the Criminal Justice Coordinating Council, or his or her designee;
4. The Director of the County Legislature's Budget Review Office;
5. The Commissioner of the Department of Social Services, or his or her designee; and
6. The Director of the County Executive's Budget Office;

and be it further

3rd **RESOLVED**, that the Director of the Legislature's Budget Review Office shall serve as the Chairman of this Committee; and be it further

4th **RESOLVED**, that the Committee will report its findings within 120 days of the effective date of this resolution; and be it further

5th **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: March 3, 2015

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: March 17, 2015