



June 13, 2017

Who Should be Sued for the Heroin Epidemic?

On May 31, 2017, Ohio Attorney General Mike DeWine announced that the state of Ohio is suing five makers of opioid painkillers for their role in the state's opioid epidemic. According to a report by CNBC, the suit, which DeWine said is the second by a U.S. state after Mississippi, claims the drugmakers violated multiple state laws, including the Ohio Corrupt Practices Act, and committed Medicaid fraud. Purdue Pharma, Johnson & Johnson and its Janssen Pharmaceuticals unit, Teva Pharmaceuticals and its Cephalon unit, Endo Health Solutions and Allergan are all named in the suit.

"In 2014 alone, pharmaceutical companies spent \$168 million through sales reps peddling prescription opioids to win over doctors with smooth pitches and glossy brochures that downplayed the risks of the medicines," DeWine said. Last year, he said, 2.3 million people in Ohio, or about a fifth of the state's population, were prescribed opioids.

These companies make drugs like Oxycontin, Percocet and Norco, and generics like oxycodone and hydrocodone.

This is a big lawsuit because it is claimed that pharmaceutical manufacturers have contributed to opioid over-utilization and over-prescription as since 1999, the number of overdose deaths involving opioids (including prescription opioids and heroin) quadrupled in the United States, according to the CDC. From 2000 to 2015, more than half a million people in the U.S. died from drug overdoses. In 2015 alone, more than 30,000 people died from overdoses of either prescription opioids or of heroin in the U.S., more than the number killed in motor vehicle accidents.

Ohio's step follows that of the city of Chicago in November 2015 when Chicago officials filed a lawsuit alleging five drug makers deceptively marketed their opioid painkillers.

These lawsuits are certainly good attempts to hold companies accountable for any role they may have played in the opioid epidemic, but I have just one question:

Who should be sued for the heroin epidemic?

Heroin has been shipped into areas like the West and South Sides of Chicago for decades, creating addiction, economic havoc, incarceration, and disruption of many lives and families, including people in my own family.

Heroin-related deaths more than tripled between 2010 and 2015, with 12,989 heroin deaths in 2015, according to the CDC, with many of the deaths due to fentanyl being mixed into the heroin. According to data from the DEA, the amount of heroin seized each year at the southwest border of the United States was approximately 500 kg during 2000–2008. This amount quadrupled to 2,196 kg in 2013.

According to a March 2017 CDC report, although prescription opioids were driving the increase in overdose deaths for many years, more recently, the large increase in overdose deaths has been due mainly to increases in heroin and

synthetic opioid (like fentanyl) overdose deaths, not prescription opioids. The available data indicate these increases are largely due to illicitly manufactured fentanyl. So for now, heroin, especially if laced by fentanyl, is actually killing more people than prescription opioids – we have to pay more attention to heroin.

There is so much heroin in our community that pass-outs are common, where heroin is passed out free to get people addicted and to become regular paying customers. There is so much heroin that even if people want to stop using heroin by going into a Medication Assisted Treatment program with methadone or Suboxone, they are still offered free heroin in their neighborhood. And, the environment is so saturated with heroin in some areas that it is very hard for some to stay away from using heroin. As one person said, "If you hang around the barbershop long enough, you eventually get a haircut."

But, who is responsible for this spread of heroin? Where is the fentanyl coming from? Who should be sued for this situation? And, perhaps more importantly, where is the political will to do all we can to stem the flow of heroin and fentanyl into the West and South Sides?

"Mexico, and to a lesser extent, Colombia, dominate the U.S. heroin market, because of their proximity, established transportation and distribution infrastructure, and ability to satisfy US heroin demand," the U.S. Drug Enforcement Administration wrote in its National Drug Threat Assessment of 2015. The DEA says illicit batches of fentanyl are being made in China and exported to Mexico, where drug dealers mix it with heroin or turn it into counterfeit medication before smuggling it into the U.S.

There is lots of talk about creating a secure border, but are we doing all we can to reduce the amount of heroin and fentanyl coming into our communities from over the border? Are we working with our southern neighbors to stop the flow of heroin into the U.S.?

Lastly, how do we create the beloved community so desired by Dr. Martin Luther King, Jr. so fewer people resort to heroin for their problems? Everyone - white, black, rich, poor, urban, suburban and rural have the responsibility to help create that beloved community with opportunities in education, employment and healthy recreation, especially on the West Side of Chicago.

Sincerely,

A handwritten signature in black ink, appearing to read 'LSK', with a stylized flourish at the end.

La Shawn K. Ford
State Representative-Eighth District