

Ohio AG sues 5 drugmakers over opi: **Take a Fit Test**

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Attorney General Mike DeWine said the companies, “helped unleash a health-care crisis that has had far-reaching financial, social and deadly consequences in the state of Ohio.”

By [Alan Johnson](#)

The Columbus Dispatch

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COLUMBUS Attorney General Mike DeWine is suing five drug-manufacturers for flooding Ohio with addictive painkillers and putting “profits above the health and well-being of Ohio consumers.”

“We believe the evidence will show that these companies got thousands and thousands of Ohioans — our friends, our family members, our co-workers, our kids — addicted to opioid pain medications, which has all too often led to use of the cheaper alternatives of heroin and synthetic opioids,” DeWine said in a statement.

DeWine said manufacturers spent tens of millions of dollars aggressively marketing their addictive products to doctors and then would “deny and trivialize” the impact of addictive opioids on patients.

“The companies knew what they were doing was wrong but did it anyway — and continue to do so,” the attorney general said. He is seeking a court injunction to stop the manufacturers. No distributors were sued in DeWine’s action.

He also accused them of Medicaid fraud and violating the Ohio Consumer Sales Practices Act., and is seeking damages on behalf of the state and repayment to consumers. For example, infants born to addicted mothers caused \$105 million in hospital costs in 2014.

Because of their deceptive practices, the companies “helped unleash a health-care crisis that has had far-reaching financial, social and deadly consequences in the state of Ohio.”

Stark County had 119 overdose deaths last year, the ninth highest in the state.

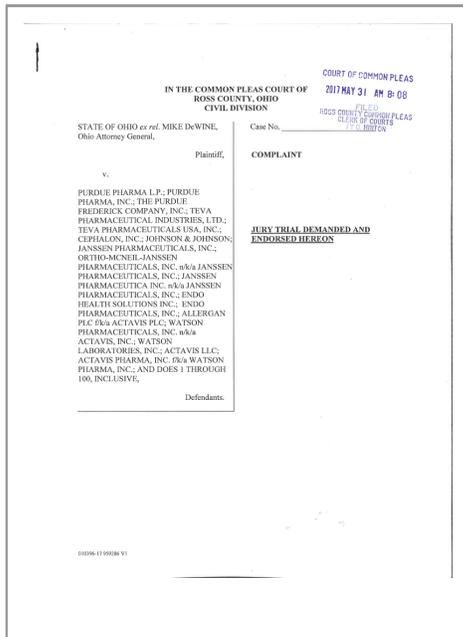
“As a former pharmacist, and current CEO of a treatment provider, I have seen first-hand how several pharmaceutical companies have placed profits before the safety of their product,” said Keith Hochadel president and CEO of CommQuest, based in Canton. “While this epidemic was not created by the pharmaceutical industry, many have misled consumers on the dangerous side effects of opioids and others knowingly excluded abuse-deterrent formulations, greatly increasing abuse potential. This was done while contributing little resources for education, prevention or treatment.

“At the same time we must realize there are some pharmaceutical companies that have sought solutions through medications such as methadone, buprenorphine, Vivitrol and Narcan. I applaud the efforts of Attorney General Mike DeWine and his staff to seek justice for the thousands of Ohioans who have been negatively affected by these actions.”

Stark County has watched its overdose deaths more than double from 2015 to 2016 and leaders here are watching DeWine's actions closely.

"In the face of Stark County's opiate epidemic, all facets need to be involved in solving our crisis," said John Aller, executive director of Stark County Mental Health & Addiction Recovery. "While certain people need opiate medication to manage pain, these same patients need to be careful to ensure what began as legitimate pain relief doesn't lead to the disease of addiction. With regard to the attorney general's lawsuit, I am interested in learning whether these manufacturers' advertising claims have contributed to our opiate epidemic."

The **lawsuit** was filed in Ross County, one of the hardest-hit areas of the skyrocketing drug epidemic. "The fire spread out across Ohio," DeWine said.



Asked why he filed the lawsuit now after years of accumulating overdose deaths, DeWine said the timing was right and the evidence is there to make a case.

He added, "I think it's my moral obligation. I don't want to look back 10 years from now and say I didn't have the guts to do this."

Christiana Arredondo of Frankfort in Ross County appeared with DeWine today at his Rhodes Tower office to talk about the heroin overdose death of her daughter, Felicia Detty, in 2015 at the age of 24.

Detty first took medication for Attention Deficit Disorder in high school, but was taking prescription pain pills by the time she was 18. A year later, she was shooting heroin.

Arredondo, her tears flowing, said her daughter was 5 1/2 months pregnant when she died.

She said she kissed her daughter on the lips in the casket because she told her, "No matter how old I get, I will always kiss you on the lips."

"It's not our fault," Arredondo said. "We loved her unconditionally. Your entire world gets destroyed."

DeWine's action comes as the death toll from opioids — heroin, fentanyl and prescription pills — continues to mount in Ohio. Accumulating information from Ohio's 88 county coroners, **The Dispatch reported this week that more than 4,100 people died from drug overdoses last year.** Deaths more than doubled in most of the large urban counties.

The five drug manufacturers named in the lawsuit:

- Purdue Pharma of Connecticut, seller of OxyContin, MS Contin, Dilaudid, Butrans, Hyslingla and Targiniq

- Endo Health Solutions of Pennsylvania, maker of Percocet, Percodan, Opana and Zydone
- Teva Pharmaceutical Industries of Israel and subsidiary Cephalon of Pennsylvania, which sold Actiq and Fentora
- Johnson & Johnson of New Jersey and subsidiary Janssen Pharmaceuticals of New Jersey, sellers of Duragesic and Nucynta

Purdue Pharma issued a statement in response to DeWine's lawsuit.

"We share the attorney general's concerns about the opioid crisis and we are committed to working collaboratively to find solutions. OxyContin accounts for less than 2% of the opioid analgesic prescription market nationally, but we are an industry leader in the development of abuse-deterrent technology, advocating for the use of prescription drug monitoring programs and supporting access to Naloxone -- all important components for combating the opioid crisis."

Earlier this month, two Democratic candidates for governor, Sen. Joe Schiavoni, D-Boardman, and Dayton Mayor Nan Whaley, separately called for action against drug companies.

"The drug companies made this mess, and it's time they stopped passing the buck to Ohio's taxpayers and started paying to clean it up," Whaley said. "On my watch, if the drug companies want to keep doing business in Ohio, they need to pay for the police and first responders, the detox facilities and recovery services that threaten to bankrupt our cities and towns."

Schiavoni sent a letter to DeWine urging action.

"We aggressively pursue those who traffic heroin and other illegal narcotics and must be similarly strong towards those who foster addiction in pursuit of profit."

David Pepper, Ohio Democratic chairman, also called for the litigation in 2014 when he ran against DeWine. The Republican is now gearing up for gubernatorial campaign.

A number of other states, cities and even the Cherokee Nation in Oklahoma have sued drug companies for selling and distributing amounts of addictive drugs they argue far exceed the medical needs of patients. Other lawsuits argue the drug companies, by flooding communities with powerful painkillers, triggered future addiction to heroin, fentanyl, and other opioids, caused widespread health issues, and taxed community resources because of drug treatment, crime and foster care.

Dispatch researcher Linda Deitch contributed to this story.

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