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Alabama Targets OxyContin Maker Purdue Pharma In Opioid Suit

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The state of Alabama is suing Purdue Pharma LP, the maker of OxyContin, for allegedly fueling the opioid crisis by deceiving doctors about prescription painkillers.

Toby Talbot/AP

Alabama filed a lawsuit in federal court on Tuesday against OxyContin producer Purdue Pharma LP claiming the drug company is fueling the opioid epidemic by deceptively marketing prescription painkillers.

The state alleges that Purdue failed to accurately portray the risks and benefits of opioids, which enabled doctors to widely prescribe them in the treatment of pain. Alabama becomes the latest in a flood of lawsuits by states, counties and cities against drug makers in response to the opioid crisis.

According to Alabama Attorney General Steve Marshall, the state leads the nation in the number of painkiller prescriptions per capita. He tells *Here & Now's* Jeremy Hobson that the lawsuit states Purdue purposely gave doctors misinformation about prescription opioids in order to generate billions of dollars in sales.



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"Our average lifespan has reduced in the last two years, and this being the principal reason why," Marshall says. "We've got to be able to make a difference in this issue nationally."

The lawsuit comes on the heels of a December report by the Alabama Opioid Overdose and Addiction Council. The group of mental health professionals, law enforcement and others was appointed by Alabama Gov. Kay Ivey in August 2017 to devise solutions to the opioid crisis in the state.

At least 30,000 Alabama residents over age 17 are dependent on heroin or prescription painkillers, according to a statement issued by the attorney general's office.

The opioid council also found the drug overdose death rate in Alabama also increased 82 percent from 2006 to 2014. During that period, 5,128 people died from overdoses. In the U.S, more than 42,000 overdose deaths in 2016 involved opioids, according to the Centers for Disease Control and Prevention.

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Alabama Attorney General Steve Marshall

The lawsuit alleges that marketers persuaded doctors that prescription painkillers weren't addictive, Marshall says.

"The lies that they were told and trained in over the years whether it be that there was no dosage too high of an opioid ... or even this concept of a pseudo-addiction that if somebody appeared in an office demonstrating signs of addiction that just meant that they needed more pain medication," he says.

Purdue has denied the allegations, writing in a statement that its drugs are approved by the Food and Drug Administration and make up only 2 percent of all opioids prescribed.

"As a company grounded in science, we must balance patient access to FDA-approved medicines, while working collaboratively to solve this public health challenge," Purdue said in the statement.



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Marshall says Alabama targeted Purdue because the company supplies the majority of opioids in the state, according to the lawsuit. Thirteen other states have filed suits against Purdue, according to Reuters.

In its suit against five drug makers, including Purdue, Ohio similarly claimed the drug manufacturers encouraged the idea that the treatment of pain required opioids. As NPR previously reported, the opioid drug industry took off in the 1990s as a result of the health care industry's effort to better treat chronic pain.

"There was a concerted effort for an extended number of years to really pound this

into the heads of doctors," Ohio Attorney General Mike DeWine told NPR. "And when you're told something time and time and time again and there's a lot of advertising that is being spent, yeah, it takes a while to turn that around."

A federal judge in Ohio is managing more than 200 lawsuits by cities, counties and others over the opioid epidemic, accusing pharmaceutical manufacturers of selling painkillers through deceptive advertising. Forty-one states have also joined forces to investigate the industry.

State and local lawmakers also hope to recover the financial costs of the crisis, echoing successful lawsuits against tobacco companies. Law enforcement, first responders and drug treatment centers across the nation are spread thin trying to combat the opioid epidemic, as noted in the Alabama lawsuit.

While federal regulations led to an 18 percent reduction in 2015 of the amount of opioids prescribed, according to the CDC, the decline has fueled a demand for cheaper options. According to the National Institute on Drug Abuse, about 80 percent of people who use heroin started out with prescription painkillers.

"We continue to see the rise of heroin, fentanyl and carfentanyl in our communities around the country because if we look at the significant reason for the overdoses, those are the drugs that are causing it," Marshall says. "There is a direct connection between opioids and those particular illicit drugs."

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