

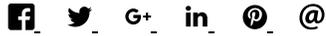


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EDITOR'S PICK

## OPIOID CRISIS: County may sue drug manufacturers

Adam Smith 3 hrs ago



The opioid crisis was labeled a public health emergency by President Donald Trump in late October, and the effects of the crisis are evident in Limestone County on a daily basis.

Sheriff Mike Blakely's jail population continues to grow each year, and more men and women are being arrested for illegal possession of opioids. Once they're behind bars, Blakely staff must often contend with other issues like poor health brought on by opioid abuse or symptoms related to drug withdrawal.

Needless to say, the cost to investigate opioid-related crimes and then house perpetrators is growing exponentially. For fiscal year 2015, the county's total inmate health care costs were \$495,275.50, and costs were \$564,858.10 in 2016. In the 2017 fiscal year, health care costs were \$566,981.83.

A fiscal year for Limestone County runs from Oct. 1 to Sept. 30. The county is currently in the 2018 fiscal year.

With more of the Limestone County Commission's resources being diverted to opioid-related costs, there are fewer tax dollars left to benefit the public good. To that end, commissioners could vote Monday to allow Limestone County to be represented in a class-action lawsuit designed to recoup money from opioid manufacturers or owners of so-called "pill mills" shut down by the U.S. Drug Enforcement Agency.

The concept isn't necessarily new; other states are doing the same. Earlier this month, the state of Montana announced it was suing Purdue Pharma LP, the maker of OxyContin. Officials in Travis County, Texas, announced Tuesday they were joining more than two dozen states, cities and counties across the country in suing opioid manufacturers.

Closer to home, hospitals in Alabama and Mississippi filed a class-action lawsuit Nov. 30 against more than a dozen pharmaceutical companies that marketed and sold opioids. Hospitals in Alabama include Mobile-based Infirmary Health Hospitals Inc. and Monroeville-based Monroe County Healthcare Authority.

According to a report in the Tuscaloosa News, the lawsuit says hospitals have faced expenses for treating opioid addicts because companies "pushed highly addictive, dangerous opioids, falsely representing to doctors that patients would only rarely succumb to drug addiction."

### Limestone in the fray

If commissioners agree to join a class-action suit against opioid manufacturers, it would cost the county nothing up front. At Wednesday's work session, John Plunk, an Athens attorney and member of the Alabama Ethics Commission, told the commission the attorney fees would amount to 30 percent of anything collected from defendants. For example, if the attorneys were able to recoup \$1 million for Limestone, the attorneys would receive \$300,000.

Plunk said billions of dollars have been spent by local governments and private enterprise to fight the opioid crisis. He explained a group of Alabama-based attorneys got together a few months ago to discuss if there was a way to recover money for county governments who have to deal with the issue.

A state-by-state health care analysis released in April 2015 estimated the total cost of opioid abuse to be roughly \$25 billion. Alabama's cost was estimated at more than \$234 million.

"There's no guarantee we can recover (money for the county)," said Plunk, who also praised the county's drug court program, which works with nonviolent offenders on rehabilitation so they can avoid jail. Those who graduate from the program have their cases dismissed.

"There's no family in the county who hasn't been affected by this," he said.

Commission chairman Mark Yarbrough said inmate health care is the county's "biggest unknown expense." Inmate health costs are paid from the county's general fund or a TVA-in-lieu-of-tax fund earmarked specifically for county health care costs. In some cases, it is paid from a combination of the two.

The county currently has a contract with Southern Health Partners, which costs \$49,268.48 per month and includes an outside cost pool of \$150,000 to cover outside medical expenses. Southern Health Partners will reimburse the county 80 percent of the balance of any unused funds in the pool.

### Outside influences

Blakely explained while there haven't been any "pill mill" busts locally, many of those arrested with illegal opioids brought them into the county from somewhere else. He said investigators also face the occasional quandary because there are cases where a person caught with opioids may have a valid prescription.

"Working this type of drug case is more difficult for local law enforcement, because who are we to question if a person needs it?" Blakely said. "The bottom line is, even if we don't see a dime from this lawsuit, it will have an impact."

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