

THE OPIOID CRISIS

COMPETING VALUES IN THE REGULATORY STATE

Beth Anne Jackson
Brown & Fortunato, PC
bjackson@bf-law.com

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COMPETING VALUES



COMPETING VALUES – THE WINNER IS …

THIS VALUE OR …

- Medical Autonomy and Privacy
- Self-Regulation of the Medical Profession
- Capitalism
- Public Health and Safety
- Rehabilitation
- Criminal Controls

THIS COMPETING VALUE?

- Regulation
- Regulation
- Regulation
- Free Market/Capitalism
- Incarceration
- Regulation (Civil Penalties)

ALLOCATION OF AUTHORITY

REGULATORY	CRIMINAL	PRIVATE
FDA:	Various Agencies:	Medical Community
Pre-Marketing vs.	FBI, DEA, DOJ:	"Big Pharma"
Post-Marketing	Discretion vs.	Individuals
	Mandatory Penalties	

THE FIRST OPIOID EPIDEMIC IN AMERICA: THE CIVIL WAR

- 10 million opium pills used by the Union Army during the War
- 80 tons of opium powders and tinctures (e.g., laudanum)



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