



# OPIOID CRISIS: FEDERAL STATE ENFORCEMENT ACTIONS

Patrick K. Sweeten  
Associate Deputy for Special Litigation

March 29, 2019

Views expressed are those of the presenter, do not constitute legal advice, and are not official opinions of the Office of the Texas Attorney General.



## THE CURRENT OPIOID EPIDEMIC

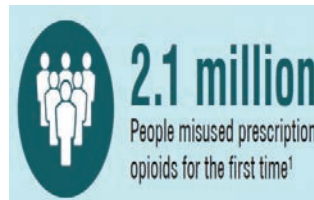
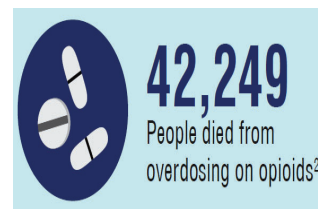
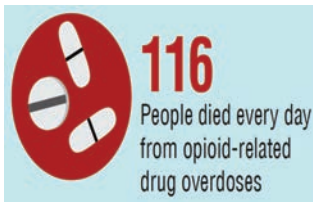


- ▶ 1995: OxyContin (oxycodone controlled-release), a Purdue product, approved for moderate to severe chronic pain;
- ▶ Oxycontin was aggressively marketed and become a focal point of opioid abuse issues that continued to escalate into the late 2000s and beyond.
- ▶ At the time of approval, FDA believed the controlled-release formulation of OxyContin would result in less abuse potential, since the drug would be absorbed slowly and there would not be an immediate "rush" or high that would promote abuse.\*

\*<https://www.fda.gov/Drugs/DrugSafety/InformationbyDrugClass/ucm338566.htm>



## THE OPIOID EPIDEMIC: BY THE NUMBERS (AS OF 2016)\*



**40% of opioid overdose deaths in 2016 involved a prescription opioid.**

\* <https://www.hhs.gov/opioids/sites/default/files/2018-01/opioids-infographic.pdf>



## By the Numbers...Prolific and Costly

- ▶ 2012 Peak Prescribing: 81 prescriptions for opioids written for every 100 Americans
  - 2017: 58 prescriptions per 100 Americans
- ▶ Annual cost of opioid crisis: an estimated 78 billion dollars per year
  - Cost since 2001: over a trillion dollars





## 2017 Numbers

2016 Opioids-related Overdose Deaths: 42,249

- ▶ 116 people every day

2017 Opioids-related Overdose Deaths: 47,600

- ▶ 130 people every day

BUT...



## Some Good News for Texas

- ▶ “Prescribing Rates” have been on a downward trend since the peak year of 2010:

- Texas in 2010:
  - 73 opioid ‘scripts for every 100 Texans

Texas in 2016:

- 57.6 opioid ‘scripts for every 100 Texans\*\*

\*\*<https://www.cdc.gov/drugoverdose/maps/rxrate-maps.html>

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Opioid Crisis: Federal State Enforcement Actions

Also available as part of the eCourse

[2019 Health Law eConference](#)

First appeared as part of the conference materials for the

31<sup>st</sup> Annual Health Law Conference session

"The Opioid Crisis"