

# EGLET PRINCE

TO: Carson City Board of Supervisors  
FROM: Robert T. Eglet, Esq.  
DATE: 3/29/18  
RE: Opioid Crisis in Nevada Counties

**LATE MATERIAL**

**Item #: 17A**

**Meeting Date: 04/05/18**

America's war on drugs is no longer confined to our quiet street corners. Instead, the frontlines have moved into our very own homes where Nevada men, women and sadly our children, are battling drug addiction and fighting for their lives. In response to the crisis, over 350 lawsuits have been filed against the opioid manufacturers and distributors by various political subdivisions across the country. Those that have yet to file are considering their options.

## **Overview of the Opioid Crisis**

Drug overdoses, mainly fueled by opioids, killed approximately 64,000 people in 2016 according to data from the Centers for Disease Control and Prevention. By comparison, more Americans died of drug overdoses in 2016 than those that died in the Vietnam War. Nevada ranks as the fourth highest in the country for overdose deaths. And while the national rate for opioid prescriptions is 66.5 pills per 100 people, it is a rate of 87.5 pills per 100 people in Nevada. In some counties, the rate is as high as 158 pills per 100 people.

For decades, opioid manufacturers have misled the public about the benefits of opioids and their addictive qualities. The distributors have poured countless pills into our communities, which have then been sold on the streets alongside its illegal analogue, black tar heroin. While the death toll continues to mount, the opioid crisis is also crippling the budgets of many local governments.

## **Damages**

According to a recent report published by the White House Council of Economic Advisers, the economic impact of opioid drug abuse in the United States is staggering. The Trump White House estimates that the opioid crisis cost the economy as much as \$504 billion in 2015 alone.

Local governments have shouldered, and continue to shoulder, an immense financial burden to help combat this crisis. With respect to costs that have been incurred in the past, *retrospective damages* available to the counties include:

- EMS and First Responders expenses
- Opiate overdose medication expenses (*i.e.* Narcaan/Nalaxone)
- Medical examiner expenses
- Public hospitals
- Increased law enforcement expenses

- Drug Courts
- Substance abuse programs (including education, prevention, and treatment)
- Increased jailing expenses
- Increased expenses due to child welfare and dependency docket associated with child welfare

Local governments are also entitled to prospective damages to put the community and its citizens back into the position it was in before the opioid crisis began. Such *prospective damages* include:

- Education (*e.g.* public awareness campaigns)
- Law enforcement and jailing (when illicit opioids replace prescription opioids during and after abatement)
- Rehabilitation (*e.g.* addiction recovery services for facilities and personnel/staff)
- A court order preventing the drug companies from misleading the public regarding the safety and efficacy of opioids

Nevadans continue to die at a rapid rate due to the opioid crisis. In response, many local governmental entities, including counties and municipalities, have filed lawsuits against the opioid manufacturers and distributors. Those that have yet to file are considering their options.

Eglet Prince looks forward presenting this very important issue to the Carson City Board of Supervisors.

RTE/RMA/RKH