Opioids Expert Predicts Six Months to Major Settlement in Opioid Litigation

On the heels of the State of Oklahoma's $275 million dollar settlement in its lawsuit against opioid manufacturer Purdue Pharma, opioids legal expert Harry Nelson predicted that looming trial dates in national opioid litigation are likely to make a broader multi-trillion dollar settlement less than six months away.

To date, over 1,600 lawsuits have been filed by cities, counties, states, Native American tribes, and healthcare organizations seeking to recoup the costs of opioid crisis response from drug manufacturers, distributors, pharmacies, and pharmacy benefit plans. Based on Centers for Disease Control data, the costs include trillions of dollars responding to at least 400,000 intentional and accidental opioid overdose deaths and substance misuse by over 20 million Americans. This week, ForbesBooks published Nelson's book, The United States of Opioids: A Prescription for Liberating a Nation in Pain, detailing the roots of the crisis and the long, expensive pathway out of the crisis. "Even a multi-trillion dollar settlement will only be a small fraction of what it will take to bring America out of this crisis," commented Nelson.

"The Oklahoma opioid settlement revealed several critical things," commented Nelson, speaking from the Addiction Leadership Conference in Sacramento, California. "In the face of so many lawsuits, the threat of Big Pharma bankruptcies is credible and motivating enough to bring settlement demands down from the stratosphere. In addition, the Oklahoma Judge's refusal to postpone the trial date forced Purdue to bridge the gap. The combination of financial concerns and sticky trial dates are the essential recipe for a big settlement in 2019." Nelson noted the October 2019 trial dates set by federal judge Dan Polster in the multi-district litigation in Cleveland, Ohio. "Keeping the trial dates on calendar keeps the heat on both sides, which is a good thing when it comes to funding our response to the opioid crisis.

Nelson noted that the Oklahoma opioid settlement was a mixed bag for opioid victims. "Almost two-thirds of the $275 million settlement is going to set up a university research center, which may or may not produce actionable insights to address the crisis," said Nelson. "But once you subtract another $60 million for the Oklahoma Attorney General's fees, that left just over 10% of the settlement (a combined $32.5 million) for first responders, law enforcement, and healthcare providers dealing with overdoses and addiction crisis on the front lines of the crisis. That's a drop in the bucket of the actual need on the ground. Advocates for addiction recovery, chronic pain treatment, law enforcement, and first responders need to be vocal about the need for resources and their intended use." Nelson wrote The United States of Opioids to convene a new conversation on how to empower grassroots action to combat the opioid crisis, with profits from the book going to fund opioid relief efforts. In its first week of sales, the book is on pace to hit bestseller lists.

About the Author

Harry Nelson has become one of America's best-known healthcare lawyers and an expert on the opioid crisis and America's healthcare future. The firm he founded, Nelson Hardiman, is the largest healthcare and life sciences law firm in Los Angeles, California, and has won national recognition for its culture and vision. In addition to The United States of Opioids, Nelson co-authored the 2017 book, From ObamaCare to Trumpcare: Why You Should Care, which called attention to the opioid crisis as a recent driver of U.S. health policy.

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