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This is the second part of my write-up on the Sackler family's drug business.

I began the first part with my niece, Kitty. Unable to free herself of addictive behavior, she committed suicide as a young woman at a time when the "solution" to addiction was jail time with nary an effort at treatment. This is slowly changing, and a later column will focus on more enlightened efforts.

In 2001, articles and books started to appear, some of them by medical doctors railing against the pharmaceutical industry's unscrupulous marketing. Barry Meier's 2003 *Pain Killer: A "Wonder" Drug's Trail of Addiction and Death* was the first to lay bare the deceptive advertising that popularized OxyContin. Meier had previously exposed Purdue's culpability in *The New York Times*. "In terms of narcotic firepower OxyContin was a nuclear weapon," wrote Meier, adding that the drug had unleashed "a catastrophe." Already in 2001 he and a colleague had produced a front-page story, "Cancer Painkillers Pose New Abuse Threat." The article described harried police detectives combatting "a growing wave of drug abuse involving a potent painkiller."

OxyContin had moved from the licit to the black market. "Once crushed, the drug can be snorted by addicts or dissolved for injection," wrote Meier et al. They identified instances of abuse and illegal trafficking of OxyContin in Maine, Kentucky, Ohio, Pennsylvania, Virginia, West Virginia, and Maryland.

In 2007 Purdue paid a \$600 million fine for mislabeling OxyContin, one of the largest fines ever levied against a pharmaceutical firm. Three executives were found guilty of criminal charges—but not any of the Sackler family members who worked at Purdue. Yet still, in 2015, Purdue received approval from the FDA to market OxyContin to children as young as eleven, writes Keefe. By 2017, the Sackler income from OxyContin sales came to three billion dollars annually.

By 2008, deaths from opiate overdoses outnumbered auto-accident deaths. Portsmouth, Ohio, had more pill mills per capita than any other town in the U.S.—the mills sold OxyCodone and OxyContin in huge quantities, plus drugs to tranquilize large animals. Around 2010, a national, decade-long prescription drug epidemic morphed into a heroin epidemic.

In *Dreamland: The True Tale of America's Opiate Epidemic*, published in 2015, former Los Angeles Times reporter Sam Quinones shows the connection between the use of prescription opiates and heroin addiction. When doctors refused to prescribe the opioid pills (or clients could no longer afford OxyContin), patients turned to readily available, cheap street drugs. Huge fields of opium poppies sprang up in parts of Mexico.

A number of states and many hospitals banded together to sue the Sacklers. The federal Justice Department joined in, estimating "more than one billion dollars" in fines for criminal activity. The final costs of addressing the addiction crisis are much higher.

Mary Healey led a group of states objecting to a plan that failed to require the Sacklers paying a substantive share of what they earned from OxyContin sales. “The Sacklers became billionaires by causing a national tragedy,” she said. “They shouldn’t get away with paying a fraction . . . over the next nine years and walking away richer than they are today.”

The Sacklers, concludes Keefe in *Empire of Pain*, were ahead of the game. They siphoned huge sums of money from Purdue Pharma —after all, the tobacco industry was sued successfully in this manner. By the time of the lawsuit, the Purdue company was “an empty shell” that declared bankruptcy. High-priced lawyers, by appealing to the Trump White House, saw to it that the federal suit got squashed: The Department of Justice was given to understand that the Administration disdained such an involvement before the 2020 election. The DOJ dropped its claim.

There’s worse. On May 22, 2019, Members of Congress Katherine Clark (MA-5) and Hal Rogers (KY-5), released a report showing that Purdue Pharma funded organizations, people, and research that influenced the World Health Organization (WHO)’s opioid prescribing recommendations. The report reveals that WHO guidelines released in 2011 and 2012 contain dangerously misleading and, in some instances, outright false claims about the safety and efficacy of prescription opioids. These guidelines mirror Purdue’s marketing strategies to increase prescriptions and expand sales.

A week before Christmas 2020, the US House of Representatives Oversight Committee held a Zoom hearing of testimony from some Sackler family members, former board members of Purdue Pharma.

“You and your family are addicted to money,” fumed Raja Kriahnamoorthi, a Democrat from Illinois while Maryland Democrat John Sarbanes pointed out that Purdue’s fine and settlement in 2007 “was a signal to the family . . . profits from OxyContin should be redoubled.”

James Comer, a Kentucky Republican, chimed in with bi-partisan comments. “[O]ur opinion of Purdue Pharma and the actions of your family, I think we all agree, are sickening . . . you file for bankruptcy to avoid the majority of costs you’ve passed on to society. I share the outrage of just about every American. I’m sickened to see a family and company that’s going to use the bankruptcy process to get out of this and to continue to be one of the richest families in America.”

Under the settlement, the plaintiffs recovered very little, writes Keefe. The Sacklers gave up ownership of Purdue; still, they remained one of the wealthiest dynasties in the U.S., despite their role in fueling an addiction crisis that killed some 450,000 Americans. Sackler family members continue to recite the mantra that addiction is the affected individual’s own fault. In their view opioid marketing has nothing to do with it. Some people just have “addictive personalities.”

However, in a July 7, 2021, bankruptcy court filing, multiple states agreed to settle. Though Purdue admitted no wrongdoings, the Sacklers would agree never to produce opioids again and pay billions in damages toward a charitable fund. Purdue Pharma was dissolved on September 1,

2021. The Sacklers agreed to pay \$4.5 billion over nine years, with most of that money funding addiction treatment. The bankruptcy judge acknowledged that the Sacklers had moved money to offshore accounts to protect it from claims, and he said he wished the settlement had been higher.

However, on December 16, 2021, a U.S District Judge ruled that the bankruptcy judge did not have the authority to give the Sacklers immunity in civil liability cases. We'll have to see what lawsuit claims are successful as a result of that decision as legal and illegal narcotics continue to wreck American communities, and hypermedicated patients end up in hopeless poverty. Americans represent 5 percent of the world's population but consume 80 percent of its opioids, truly a market created and sustained with no scruples whatsoever. Although some physicians have become more cautious, opioids are prescribed to this day.

When my brother's daughter Kitty took her life, I knew I'd failed her. So had other family members. Kitty was less than two when she lost her dad. How I wished we could have influenced her life for the better! Sadly, after her dad's suicide, whatever attempts I made, her mother rebuffed them. If I could have talked with the girl when she was twelve about the trauma and what preceded it, the discussions might have kept her from imitating his exit. But those discussions would need to have touched on her dad's history of drug use.

Substance use disorder is difficult to discuss frankly. The law defines it as criminal, which denotes shame and reproach; law enforcement deals with offenders by locking them up. Drug offenses have been among the largest categories of arrests for the past 20 years, a gift that keeps on giving to the private prison industry. Only recently has a new approach been tried large-scale: Drug courts, which I'll discuss in a later column. May it invite elders' candor toward youngsters sad and confused like my niece: they exist in the eye of the storm.