# ASSEMBLY RESOLUTION No. 252

# STATE OF NEW JERSEY

## 219th LEGISLATURE

INTRODUCED MAY 17, 2021

**Sponsored by:**
**Assemblywoman VALERIE VAINIERI HUTTLE**
**District 37 (Bergen)**
**Assemblyman DANIEL R. BENSON**
**District 14 (Mercer and Middlesex)**

**SYNOPSIS**

Urges AG to ensure funds from opioid litigation settlement agreements are dedicated to substance use disorder treatment and prevention.

**CURRENT VERSION OF TEXT**

As introduced.

**(Sponsorship Updated As Of: 5/17/2021)**

**AN ASSEMBLY RESOLUTION** urging the Attorney General to ensure that funds paid to the State out of opioid litigation settlement agreements are dedicated to substance use disorder treatment and prevention.

**WHEREAS,** According to the federal Centers for Disease Control and Prevention, abuse of prescription painkillers, which are frequently opioid drugs, is a "growing, deadly epidemic"; and

**WHEREAS,** Since 1990, drug overdose death rates in the United States have more than tripled, with nearly 75 percent of overdose deaths attributable to opioid drugs; and

**WHEREAS,** The unprecedented rise in overdose deaths in the U.S. parallels a nearly 300 percent increase in the sale of prescription opioids since 1999; and

**WHEREAS,** Opioid drugs are highly susceptible to misuse and abuse, and even when opioids are prescribed by and used under the supervision of a licensed health care professional, patients can develop a chronic and severe opioid dependency; and

**WHEREAS,** The Substance Abuse and Mental Health Services Administration reports that many people who begin their drug use with prescription opioids go on to use heroin or other black market opioids, which are usually significantly less expensive than prescription opioids; and

**WHEREAS,** The U.S. Drug Enforcement Administration reports that two in five teenagers mistakenly believe prescription drugs are "much safer" than black market drugs, and three in 10 teens mistakenly believe prescription opioids are not addictive; and

**WHEREAS,** According to a 2013 report issued by the State Commission of Investigation, between 2006 and 2011, the number of individuals who entered New Jersey drug addiction treatment centers for opioid addictions tripled, from 2,700 to 8,600, with roughly half age 25 or younger; and

**WHEREAS,** A number of states, including New Jersey, have filed lawsuits against prescription opioid manufacturers alleging that the manufacturers deliberately misled the health care industry and the public concerning the safety, abuse potential, and addiction risks associated with prescription opioids; and

**WHEREAS,** These lawsuits further allege that these misleading practices directly contributed to the significant increase in sales of prescription opioids, overall use of opioids including use of black market opioids, and opioid overdose deaths. The opioid epidemic is further associated with increases in crime affiliated with opioid use, the spread of communicable diseases, and immeasurable social costs stemming from lost lives, the destruction of families, and squandered human potential; and

**WHEREAS,** In order to continue the work of turning the tide on the opioid epidemic, helping people with opioid use disorders on the road to sustainable recovery, and preventing the misuse, overuse, and abuse of opioid drugs that can lead to individuals developing a substance use disorder, it is imperative that the funds paid to the State from the settlement of litigation against prescription opioid manufacturers be dedicated to substance use disorder treatment and prevention; now, therefore,

**BE IT RESOLVED** *by the General Assembly of the State of New Jersey:*

1. The General Assembly of New Jersey respectfully urges the Attorney General of New Jersey to ensure that any settlement agreements with opioid drug manufacturers resulting from litigation related to the opioid epidemic include appropriate conditions or restrictions to ensure that funds paid to the State of New Jersey under the settlement agreement are dedicated to promoting and supporting substance use disorder treatment and prevention efforts in the State.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the Attorney General of New Jersey.

STATEMENT

This Assembly resolution respectfully urges the Attorney General to ensure that any settlement agreements with opioid drug manufacturers resulting from litigation related to the current opioid epidemic include appropriate restrictions to ensure that funds paid to the State under the settlement agreement are dedicated to promoting and supporting substance use disorder treatment and prevention efforts in the State.

The sharp increase in prescription opioid sales over the past 30 years correlates with a sharp increase in the number of people both in New Jersey and nationwide who have developed an opioid dependency, who have experienced overdose or death from opioid use, or who have been directly affected by a friend or family member's opioid use. New Jersey is among the many states that have filed lawsuits against prescription opioid manufacturers alleging deceptive marketing practices that understated or hid the risks of prescription opioid use, leading to expanded prescribing of opioid drugs, increases in opioid dependency, and the spread of individual and societal harms attendant to opioid use disorders.

It is the sponsor's belief that dedicating funds received as a result of settlement agreements with prescription opioid manufacturers to substance use disorder treatment and prevention efforts is essential to continuing the work of fostering sustainable recovery for people with an opioid use disorder and curtailing the activities and practices that can lead to the development of opioid use disorders.