

**Office of New York State
Attorney General Eric T. Schneiderman**

HEALTH CARE BUREAU





New York State Office of the Attorney General

- **NY AG Divisions**
- **“Public Advocacy” – Bureaus bring affirmative CIVIL ACTIONS:**
 - **Social Justice Division:** Health Care, Civil Rights, Labor, Environmental Protection, Charities
 - **Economic Justice Division:** Consumer Protection, Investment Protection, Antitrust, Internet, Real Estate Finance



Health Care Bureau Brief Overview

Theme: deception; nondisclosure of...

- Glaxo – negative studies re: Paxil
- Ingenix – conflict of interest
- Recent examples
 - Coverage for Hep C treatment
 - Fake Zika products
 - Urgent care centers – disclosures re: network
 - E-cigs – child-proof packaging
 - Opioid marketing



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OPIOIDS – public health crisis

Leading cause of death for people under 50 (more than guns, car accidents)

NY: In 2016, there were 8,444 opioid overdose outpatient emergency department visits. In Dec. 2017, CDC identified NY as a state with “statistically significant increases in [2015-2016] drug overdose death rates”

Deaths from prescription opioids have levelled off since 2011 – now, heroin/fentanyl–related deaths have dramatically increased



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OPIOIDS – NY AG Multipronged Approach

- **I STOP**
- **Naloxone distribution**
- **Mental health parity – to assure treatment for substance abuse**
- **Criminal actions against pill mills, enterprises illegally selling opioids**
- **Opioid marketing**



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OPIOIDS - PUBLIC HEALTH PRIORITY

Questions:

- How do we address current situation?
 - treatment
 - prevention
- Are there entities responsible for the crisis?
- Role of government?
- Role of state AGs?



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- PUBLIC HEALTH
- **Enforcement of Mental Health Parity Laws**
- Hundreds of complaints in AG Helpline system
 - denials of treatment/utilization review (“not medically necessary”)
 - cut-off of ongoing treatment
 - residential treatment: substance abuse/eating disorders
- New(ish) mental health parity laws – federal /state



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- PUBLIC HEALTH

Opioid settlements – historic

(2007) – Purdue Pharma settles with federal gov't/state Medicaid programs –

- **\$600 million in fines (feds/state Medicaid)**

Three executives (including president and top lawyer) pleaded guilty to misbranding –

- **\$34 million in fines**



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- PUBLIC HEALTH

Opioid settlements –

Multistate non-MFCU (2007) \$19.5 million/injunctive provisions

More recently – NY AG:

- **Purdue (2015) – Region Zero, Face of Pain**
- **Endo (2016) – misrepresentations re: Opana crush resistant properties**



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NY AG joins forces with over 40 states to battle opioid epidemic

- Six manufacturers, three distributors
- The probe will review
 - Marketing
 - Whether suspicious activity has been reported adequately
- Role of health insurance companies
 - To examine financial incentives in payment and coverage policies that contribute to the opioid epidemic.



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Multistate/other cases

Governmental Unit	Number of Current Filings
States	16
Counties	271
Cities/Towns	66
Other	23

18 NY counties

62 federal cases were transferred to the MDL in Ohio