
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 173 Session of
2017

INTRODUCED BY COSTA, BROWNE, FONTANA, BREWSTER, STREET, HUGHES
AND TARTAGLIONE, SEPTEMBER 11, 2017

REFERRED TO RULES AND EXECUTIVE NOMINATIONS, SEPTEMBER 11, 2017

A RESOLUTION

1 Urging the Governor and the Office of the Attorney General to
2 file lawsuits against pharmaceutical companies that engage in
3 practices that caused the ongoing opioid epidemic within this
4 Commonwealth.

5 WHEREAS, Prescription opioids are narcotics that are derived
6 from or possess properties similar to opium and heroin; and

7 WHEREAS, Certain pharmaceutical companies spend hundreds of
8 millions of dollars to mislead the public about the
9 addictiveness of powerful prescription opioid drugs; and

10 WHEREAS, These pharmaceutical companies continue to engage in
11 fraud, conspiracy and negligence in the development and
12 marketing of highly addictive opioid drugs; and

13 WHEREAS, These pharmaceutical companies continue to use
14 sophisticated and highly deceptive and unfair marketing
15 campaigns in an effort to reverse the medical community's
16 understanding of opioids to increase opioid drug use; and

17 WHEREAS, These pharmaceutical companies know that prolonged
18 use of opioids is addictive, subject to abuse and that opioids
19 should be used only as a last resort; and

1 WHEREAS, These pharmaceutical companies know that prolonged
2 use of opioids causes the effectiveness of the drugs to wane,
3 requiring an increase in the dosage and markedly increasing the
4 risk of significant side effects and addiction; and

5 WHEREAS, These pharmaceutical companies continue to use
6 misleading scientific data to convince the medical community to
7 increasingly prescribe opioid drugs; and

8 WHEREAS, Certain pharmaceutical companies have used illegal
9 kickbacks in the past to encourage physicians and nurses to
10 prescribe opioid products; and

11 WHEREAS, Certain pharmaceutical companies' marketing efforts
12 and the lack of medical breakthroughs prescribing opioids for
13 chronic pain opened the floodgates of opioid use and abuse; and

14 WHEREAS, A recent study published in JAMA Internal Medicine
15 found a direct correlation between physicians receiving
16 manufacturer-sponsored meals and increased prescribing rates of
17 drugs promoted during the meal; and

18 WHEREAS, Certain opioid pharmaceutical companies set sales
19 quotas for their sales representatives that are impossible to
20 meet unless the drugs are promoted for off-label use; and

21 WHEREAS, These pharmaceutical companies continue to earn
22 billions of dollars in profits from their questionable opioid
23 products and sales tactics; and

24 WHEREAS, Americans represent only 4.6% of the world's
25 population but consume 80% of the world's opioids and 99% of the
26 global hydrocodone supply; and

27 WHEREAS, Opioid sales generated \$8 billion in revenue for
28 drug companies in 2012 and an estimated \$15.3 billion in 2016;
29 and

30 WHEREAS, The Associated Press and the Center for Public

1 Integrity published an investigation outlining how certain
2 pharmaceutical companies and their allies have adopted a 50-
3 state strategy that includes hundreds of lobbyists and nearly \$1
4 billion spent on lobbying and campaign contributions from 2006
5 through 2015 to help kill or weaken measures aimed at stemming
6 the tide of prescription opioids; and

7 WHEREAS, In the 2014 National Drug Threat Assessment, the
8 Drug Enforcement Agency (DEA) reported that approximately 129
9 people die every day as a result of drug poisoning and more than
10 60% of those overdose deaths are due to pharmaceutical opioids
11 or are heroin related; and

12 WHEREAS, According to the Centers for Disease Control and
13 Prevention, in 2015, 52,000 people died from drug overdoses and
14 approximately two-thirds of them had used prescription opioids;
15 and

16 WHEREAS, Recent data for this Commonwealth shows 10,394,466
17 prescriptions for opioid medications were filled by individuals
18 in 2015; and

19 WHEREAS, In 2015, a report from the DEA identified 3,383
20 drug-related overdose deaths in this Commonwealth, an increase
21 of 23.4% over 2014; and

22 WHEREAS, This Commonwealth is in the midst of an opioid and
23 heroin epidemic causing thousands of overdose deaths and
24 destroying communities and families; and

25 WHEREAS, Opioid abuse causes a \$78.5 billion loss to the
26 United States economy each year; and

27 WHEREAS, The financial toll this epidemic is having on the
28 limited resources of the Commonwealth is staggering; and

29 WHEREAS, States have historically filed lawsuits against
30 industries that engage in illegal business practices, such as

1 the tobacco industry in the 1990s, in order to protect their
2 residents; therefore be it

3 RESOLVED, That the Senate urge the Governor and the Office of
4 Attorney General to initiate lawsuits against pharmaceutical
5 companies that engage in practices that caused the ongoing
6 opioid epidemic within this Commonwealth; and be it further

7 RESOLVED, That the Senate urge the Governor and the Office of
8 the Attorney General, should they initiate lawsuits and prevail,
9 to place any funds recovered in a reserve account to be used for
10 drug, alcohol and mental health treatment programs.