

Case 3: Big Problems for Big Pharma

The United States is facing an opioid epidemic. In 2015 alone, 33,000 people within the United States died from an opioid related death. Opioids are narcotics that produce a morphine-like effect. They work by binding to opioid receptors within the body and reducing the body's ability to send pain messages to the brain. Common opioids include hydrocodone, morphine, fentanyl, and oxycodone. Over half of the opioid-related deaths are linked to prescription opioid use, while the remaining are credited to street drugs. According to a study published in *Medical Care*, the prescription opioid epidemic has introduced a "total economic burden of \$78.5 billion."

In early June of 2017, nine counties in Tennessee sued Big Pharma (specifically Purdue Pharma, Mallinckrodt and Endo Pharmaceuticals) for costs of fighting the epidemic. The suit declares that Big Pharma should be labeled as drug dealers, and accuses pharmaceutical companies of misleading consumers as to the addictive properties of the drugs and marketing the drugs as the miracle cure for all types of pain. Two weeks later, the Missouri Attorney General filed a similar suit against three large pharmaceutical companies, Janssen, Purdue, and Endo Pharmaceuticals, claiming they are pushing a "campaign of fraud and deception." The Attorney General is asking for "hundreds of millions of dollars" in both damages and civil penalties. The pharmaceutical companies replied to the suits stating they share concerns regarding the opioid crisis and they have "acted appropriately, responsibly, and in the best interest of patients regarding our opioid pain medications."

These lawsuits are unique as up to this point legal initiatives have primarily put responsibility for the epidemic on physicians, prescribers, and pharmacies, not pharmaceutical companies. Some claim physicians are the first line of defense and are over-prescribing opioids for pain which may be effectively managed with other non-addictive medications such as Ibuprofen. On the flip side, opioids may be the best choices for some patients, especially those having surgical procedures. According to data collected in 2009 at Stanford University, 48 million people underwent inpatient surgery in the United States alone. It is likely that all of those persons were not only prescribed, but truly needed opioids to manage postoperative pain.

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