

Westmoreland County to sue to recoup millions spent on opioid crisis

RICH CHOLODOFSKY | Thursday, Nov. 16, 2017, 3:30 p.m.

Westmoreland County will join a chorus of other county governments in suing drug manufacturers and doctors over the raging opioid epidemic that has resulted in record overdose deaths and increased public spending.

County commissioners on Thursday hired two law firms to prepare a lawsuit seeking damages to recover millions of tax dollars that officials said have been spent to battle the crisis.

“We’re seeking justice for taxpayers,” Commissioner Ted Kopas said.

Marc J. Bern & Partners, a New York-based firm, and Robert Peirce & Associates in Pittsburgh will receive 25 percent of any money the county wins through the lawsuit. No additional expenses will be paid to those firms for their representation.

The lawsuit is being finalized and is expected to be filed as early as Friday, attorney Robert Peirce said.

“We’re suing 24 different manufacturers, distributors and doctors,” he said. “It’s an opportunity, not a guarantee.”

Westmoreland’s damages could go well beyond \$19 million, attorney Marc Bern said.

“Ultimately, it could be in the tens of millions of dollars,” he said. “We’re expanding the web. Damages are like throwing a pebble into the pond.”

Similar lawsuits recently were filed by commissioners in Armstrong, Beaver, Greene, Lackawanna, Lawrence and Washington counties.

A study released this year by Controller Jeffrey Balzer found Westmoreland County spent \$18.8 million last year that was directly attributed to the drug crisis. The costs associated with overdose deaths, as well as other issues involving the prosecution and detention of drug dealers, has cost residents about 23 cents of every tax dollar paid to the county, officials said.

That money was used to pay for criminal justice programs, law enforcement, coroner’s expenses and detention costs associated with the epidemic.

County officials said the lawsuit is designed to recoup that money.

“We will still have to do a more thorough assessment of the damages. But the pharmaceutical companies are absolutely responsible for what we are dealing with today,” Kopas said.

Overdose deaths in Westmoreland County attributed to opioids and other drugs has risen steadily over the last decade, with new records set each year.

In 2015, overdose deaths topped 126, only to be eclipsed a year later when the coroner's office reported that 174 people died of drug-related causes.

Overdoses in 2017 are again expected to reach a record. Through Nov. 3, the coroner's office confirmed 122 overdose deaths with another 43 suspected cases pending final toxicology reports.

Along with a special task force that is working to educate the public about the perils of drug addiction, county government programs have increased spending to deal with the fallout from the crisis.

Commissioners last year created a special drug court program that has seen a handful of graduates among from its initial 50-person class. County and court officials have said they want to double the size of the drug court program next year, but money to do so has yet to be identified.

"This is just the tip of the iceberg," Commissioner Charles Anderson said.

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