

# Issue Analysis Form



**Date:** October 12, 2021  
**Item:** Resolution – Participation in Proposed Settlement of Opioid-Related Claims against McKesson, Cardinal Health, AmerisourceBergen and Janssen

**Lead Department(s):** County Attorney

**Contact Person(s):** Dan Whitten

## Description and Current Status

Prince George County, through outside counsel, has filed suit against McKesson, Cardinal Health, AmerisourceBergen, and Janssen Pharmaceuticals, along with certain of their related corporate entities for their role in the distribution, manufacture, and sale of pharmaceutical opioid products that have fueled the opioid epidemic.

Settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them.

Outside counsel has recommended that Prince George County participate in the settlements in order to recover its share of the funds that the settlement would provide.

Staff recommends that the Board approve through the attached Resolution the participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities.

Sample Motion: I move that the Board adopt a Resolution confirming Prince George County's participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities.

## Government Path

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|---|---|--|
| <b>Does this require IDA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does this require BZA action?</b>                  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does This require Planning Commission Action?</b>  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>Does this require Board of Supervisors action?</b> | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| <b>Does this require a public hearing?</b>            | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| <b>If so, before what date?</b>                       | <input type="checkbox"/> Yes            | <input type="checkbox"/> No            |

Board of Supervisors  
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 12<sup>th</sup> day of October, 2021:

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Present:

Floyd M. Brown, Jr., Chairman  
Marlene J. Waymack, Vice Chair  
Alan R. Carmichael  
Donald Hunter  
T. J. Webb

Vote:

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On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, which carried unanimously, the following Resolution was adopted:

**RESOLUTION APPROVING PARTICIPATION IN THE PROPOSED  
SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST MCKESSON,  
CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN, AND THEIR  
RELATED CORPORATE ENTITIES**

**WHEREAS**, the opioid epidemic that has cost thousands of human lives across the country also impacts Prince George County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Prince George County's various departments and agencies; and

**WHEREAS**, Prince George County has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Prince George County; and

**WHEREAS**, Prince George County has filed suit against McKesson, Cardinal Health, AmerisourceBergen, and Janssen Pharmaceuticals, along with certain of their related corporate entities for their role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed Prince George County; and

**WHEREAS**, The County's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

**WHEREAS**, settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them; and

**WHEREAS**, Prince George County's outside opioid litigation counsel has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide; and

**WHEREAS**, the County Attorney has reviewed the available information about the proposed settlements and concurs with the recommendation of outside counsel;

**NOW, THEREFORE, BE IT RESOLVED** that the Prince George County Board of Supervisors approves of the County's participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities, and directs the County's outside counsel to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

A Copy Teste:

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Percy C. Ashcraft  
County Administrator