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**Subject:** NH AG NEWS RELEASE: Attorney General Formella Announces Settlement with Walmart over Opioid Epidemic Allegations

## NEWS RELEASE

Released by: John M. Formella, Attorney General

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Date: December 14, 2022

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Concord, NH – Attorney General John M. Formella today announces that he has agreed to join a national settlement with Walmart to resolve allegations that the company contributed to the opioid addiction crisis by failing to appropriately oversee the dispensing of opioids at its stores. The agreement will provide New Hampshire with \$15.5 million over the next year to fund treatment and recovery services to people struggling with opioid use disorder. It will also require significant improvements in how Walmart's pharmacies handle opioids, including complying with robust new oversight measures to prevent fraudulent prescriptions and flag suspicious prescriptions.

“Addressing this opioid crisis head on means leaving no stone unturned in redesigning systems from the ground up,” said Governor Chris Sununu. “That’s been the focus of my administration from day one. I thank Attorney General Formella and the team at the New Hampshire Department of Justice for their continued work to improve distributor practices and ensure financial accountability for their actions.”

"The opioid crisis has devastated too many Granite State families," said Attorney General John Formella. "My fellow attorneys general and I are working aggressively to hold accountable the companies that created and fueled this crisis. This agreement has Walmart committing to pay \$3.1 billion nationally and improve the way it does business. This adds to the important progress we have already achieved through our settlements with opioid manufacturers and distributors – and our efforts are far from over. We are committed to bringing much needed funding to fight the opioid crisis in New Hampshire."

The settlement with Walmart includes court-ordered requirements to tightly monitor, report, and share data about suspicious activity related to opioid prescriptions as a stopgap against so-called pill-mill doctors, as well as to prevent patients from seeking multiple prescriptions for opioids.

Opioids have caused more than 500,000 overdose deaths in the U.S. over the past two decades and in recent years opioid deaths have soared to record levels, around 80,000 a year nationwide, due to a continuing addiction wave now largely being fueled by fentanyl.

New Hampshire previously filed complaints against opioid manufacturers Purdue Pharma and Mallinckrodt. Both filed for bankruptcy protection. The Mallinckrodt bankruptcy plan, under which New Hampshire will receive payments, has been confirmed by the court. The Purdue bankruptcy plan is awaiting court confirmation. The opioid manufacturer Endo filed for bankruptcy earlier this year. Attorneys general reached a \$450 million pre-bankruptcy settlement in that case and the New Hampshire Attorney General's Office is participating in the on-going bankruptcy process. New Hampshire filed complaints against the major national opioid distributors (McKesson Corp, Cardinal Health, and Amerisource Bergen). Those cases were resolved when New Hampshire joined the attorneys' general multistate settlement under which New Hampshire will receive approximately \$115 million over 18 years. New Hampshire reached a \$40.5 million settlement with opioid manufacture Johnson & Johnson in early September. Four major national settlements with major pharmacy chains CVS and Walgreens, and with opioid manufacturers Teva and Allergan have been announced and are under consideration by the Attorney General's office, with decisions expected by the end of the year.

By state law, all monies from opioid settlements are dedicated for opioid abatement projects throughout the state. Information about the Opioid Abatement Trust Fund and Advisory Commission can be found at: <https://www.dhhs.nh.gov/about-dhhs/advisory-organizations/nh-opioid-abatement-trust-fund-advisory-commission>.

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