

**Letitia James**

New York State Attorney General

## **Attorney General James Secures \$350 Million from Publicis for its Role in the Opioid Crisis**

**Purdue's Former Advertising Company Developed Deceptive Marketing Campaigns to Increase Opioid Prescriptions, Fueling the Opioid Epidemic  
New York to Receive More Than \$19 Million for Opioid Abatement, Treatment, and Prevention**

### **February 1, 2024**

○ ○

*AG James Has Secured More Than \$2.7 Billion Total from Opioids  
Manufacturers, Distributors, and Marketers for New York*

NEW YORK – New York Attorney General Letitia James today co-led a coalition of every attorney general in the nation in [securing \\$350 million from Publicis Health, LLC \(Publicis\)](#) for the company's role in the opioid crisis in New York and throughout the United States. Publicis, part of the French media conglomerate Publicis Groupe, S.A., is one of the world's largest healthcare advertising companies and developed predatory and deceptive marketing strategies for Purdue Pharma L.P. (Purdue Pharma) in order to increase prescriptions and sales of opioids such as OxyContin, ultimately fueling the opioid epidemic. This is the first settlement with an advertising agency for its role in the opioid crisis. New York will receive \$19,176,750.60 as a result of the agreement, which will be used to fund opioid abatement, treatment, and prevention.

"For a decade, Publicis helped opioid manufacturers like Purdue Pharma convince doctors to overprescribe opioids, directly fueling the opioid crisis and causing the devastation of communities nationwide," said **Attorney General James**. "No amount of money can compensate for lives lost and addiction suffered, but with this agreement, Publicis will cease their illegal behavior and pay \$350 million to help our communities rebuild. Here in New York, we have delivered more than \$2.7 billion to fund opioid

abatement, treatment, and prevention, and we will continue fighting to deliver these critical resources to all communities ravaged by this epidemic.”

From 2010 through 2019, Publicis worked with Purdue Pharma to develop marketing campaigns and materials promoting opioids including OxyContin, Butrans, and Hysingla. Publicis was responsible for creating advertisements and materials, such as pamphlets and brochures, that promoted OxyContin as safe and unable to be abused, even though this claim was not true. In addition to the campaigns it created for Purdue Pharma, Publicis conspired with McKinsey & Company, Inc. (McKinsey) and Practice Fusion, Inc. (Practice Fusion) to push false and deceptive strategies to increase Purdue’s opioid sales.

Publicis implemented Purdue Pharma’s predatory “Evolve to Excellence” scheme, developed by McKinsey, which targeted the doctors who prescribed the most OxyContin and flooded them with sales calls and marketing. These doctors would receive an increasing barrage of messaging touting the “abuse-deterrent” aspects of OxyContin and the so-called benefits of increasing patients’ dosages, often unnecessarily. This and other Publicis strategies were designed to deceptively expand the usage of opioids at higher doses for longer periods of time by more patients, regardless of whether some of those patients were not medically appropriate candidates for long-term opioid therapy.

These aggressive marketing campaigns worked: they resulted in a dramatic rise in opioid prescriptions nationwide, which in turn caused a devastating rise in the prevalence of opioid abuse, addiction, and overdose deaths.

Today’s agreement secures \$350 million to be paid within 60 days to address the opioid crisis and prohibits Publicis from accepting any future contracts or engagements related to the marketing or sale of opioids. Publicis is also required to release hundreds of thousands of internal documents detailing its work for Purdue and other opioid manufacturers, as well as communications with consultants like McKinsey and Practice Fusion, to be included in an online document repository for the purposes of public disclosure.

Publicis and its clients fueled and profited off of the opioid epidemic. In 2020, 4,233 New Yorkers died as a result of an opioid-involved overdose — a 294% increase from 1,074 opioid overdose deaths in 2010. As of November 2022, a New Yorker died from an opioid overdose every two hours.

This settlement is the latest in Attorney General James' efforts to combat the opioid crisis and heal New York. In 2019, Attorney General James [filed the nation's most extensive lawsuit against opioid distributors and manufacturers for their role in the opioid epidemic](#). Since then, Attorney General James has recovered more than \$2.7 billion to support New York opioid abatement, treatment, and prevention efforts from companies including [Teva Pharmaceuticals](#), [Johnson & Johnson](#), [Mallinckrodt](#), [Allergan](#), [Endo](#), [McKesson](#), [Cardinal Health](#), and [Amerisource Bergen](#). Attorney General James has also led multistate coalitions in reaching settlements for billions of dollars with [CVS](#), [Walgreens](#), and [Walmart](#) for their role in failing to properly regulate opioid prescriptions. Additionally, Attorney General James, [co-led a coalition of nearly every attorney general in the nation in delivering more than \\$573 million — more than \\$32 million of which was earmarked for New York state — toward opioid treatment and abatement in an agreement and consent judgment with McKinsey & Company](#).

Negotiations in this matter were led by Attorney General James and Colorado Attorney General Phil Weiser. Joining them on the Executive Committee were the attorneys general of California, Connecticut, Idaho, Massachusetts, North Carolina, Oregon, Tennessee, and Vermont.

This investigation and settlement were led by Senior Advisor & Special Counsel M. Umair Khan and Special Counsel Monica Hanna of the Executive Division, and Assistant Attorneys General Christian Reigstad and Noah Popp of the Consumer Frauds & Protection Bureau. This settlement was also made possible by the work of Assistant Attorney General & Special Assistant to the First Deputy Gina Bull and Assistant Attorney General Matthew Conrad, also of the Executive Division, as well as Assistant Attorney General Hailey DeKraker, former Assistant Attorney General Jason Meizlish, and Bureau Chief Jane Azia of the Consumer Frauds & Protection Bureau. The Consumer Frauds & Protection Bureau is a part of the Division of Economic Justice, which is led by Chief Deputy Attorney General Chris D'Angelo. Both the Executive Division and the Division of Economic Justice are overseen by First Deputy Attorney General Jennifer Levy.