

**Letitia James**

New York State Attorney General

## **Attorney General James Delivers More Than \$573 Million to Communities Across the Nation to Fight Opioid Crisis**

### **February 4, 2021**

*Nearly Every State in Nation Reaches Agreement Holding McKinsey & Company Accountable for Role in Fueling Opioid Crisis with Purdue Pharma*

*New York to Receive More Than \$32 Million for Opioid Abatement*

NEW YORK – New York Attorney General Letitia James today co-led a coalition of nearly every attorney general in the nation in delivering more than \$573 million toward opioid treatment and abatement to stem the opioid crisis that has ravaged families across the country. An [agreement and consent judgment with McKinsey & Company](#) — one of the world’s largest consulting firms — filed today resolves investigations by the attorneys general into the company’s role in working for opioid companies, helping those companies promote their drugs, and profiting millions of dollars from the opioid epidemic. The funds from today’s agreement — more than \$32 million of which will go to New York state — will be used towards abating the effects of excessive opioid use in the participating states. This is the first multistate opioid agreement to result in substantial payment to states to address the crisis.

“McKinsey’s cynical and calculated marketing tactics helped fuel the opioid crisis by helping Purdue Pharma target those doctors they knew would overprescribe opioids,” said **Attorney General James**. “They knew where the money was coming from and zeroed in on it. Under the terms of today’s agreement, the company will finally end its illegal conduct, deliver more than half a billion dollars into communities across the nation, and will never be able to help perpetrate this type of fraud and deception again. While no amount of money will ever compensate for the pain of the hundreds of thousands dead, the millions addicted, and the countless families torn apart from opioid

addiction, we can ensure that those responsible for the crisis help to fund prevention, education, and treatment programs to stop additional New Yorkers and Americans across the country from becoming addicted to opioids in the first place. This is just the beginning of our fight for justice for victims, and we will continue to do everything in our power to prevent the industry from hooking more patients and causing yet additional harm.”

In addition to providing more than \$573 million, minus payment of costs, to address the opioid crisis, today’s agreement — filed simultaneously by 47 states, the District of Columbia, and five U.S. territories — calls for McKinsey to release tens of thousands of its internal documents detailing its work for OxyContin manufacturer Purdue Pharma, as well as other opioid manufacturers, for public disclosure online. Additionally, McKinsey agreed to adopt a strict document retention plan, continue its investigation into allegations that two of its partners tried to destroy documents in response to investigations of Purdue Pharma, implement a strict ethics code that all partners must certify each year, and stop advising companies on potentially dangerous opioid-based Schedule II and III narcotics.

Today’s filing describes how McKinsey contributed to the opioid crisis by promoting marketing schemes and consulting services to opioid manufacturers, including Purdue Pharma, for over a decade. Filed with today’s agreement is a [complaint laying out McKinsey’s marketing tactics](#) that detail how the company advised Purdue and members of the Sackler family — who control Purdue — on how to maximize profits from its opioid products, including targeting high-volume opioid prescribers, using specific messaging to get physicians to prescribe more OxyContin to more patients, and circumventing pharmacy restrictions in order to deliver high-dose prescriptions. Acting in concert, McKinsey, Purdue, and the Sacklers sold millions of doses of Purdue’s opioids in New York in violation of New York law.

When states began to sue Purdue’s directors for their implementation of McKinsey’s marketing schemes, McKinsey partners began emailing about deleting documents and emails related to their work for Purdue.

The opioid epidemic has caused massive harm to individuals and communities in New York and in states across the nation over the last 20 years. During this time, nearly 500,000 Americans have died from an opioid overdose, including more than 20,000 New Yorkers. On an economic level, these deaths — and the impacts on New Yorkers who

have struggled with opioid use — have created significant costs to New York in the form of health care, child welfare, criminal justice, and many other programs needed to lessen the epidemic. It has also resulted in lost economic opportunity and productivity. On the social level, opioid addiction, abuse, and overdose deaths have torn families apart, damaged relationships, and eroded the social fabric of communities.

Today's agreement is the latest action Attorney General James has taken to combat the opioid epidemic and to hold accountable those who are responsible for creating and fueling the crisis. In March 2019, [Attorney General James filed a lawsuit to hold accountable the various manufacturers and distributors responsible for the opioid epidemic](#). The manufacturers named in the complaint included Purdue Pharma and its affiliates, members of the Sackler Family (owners of Purdue) and trusts they control, Janssen Pharmaceuticals and its affiliates (including its parent company Johnson & Johnson), Mallinckrodt LLC and its affiliates, Endo Health Solutions and its affiliates, Teva Pharmaceuticals USA, Inc. and its affiliates, and Allergan Finance, LLC and its affiliates. The distributors named in the complaint are McKesson Corporation, Cardinal Health Inc., Amerisource Bergen Drug Corporation, and Rochester Drug Cooperative Inc. The cases against Purdue, Mallinckrodt, and Rochester Drug are now all in U.S. Bankruptcy Court. Attorney General James' lawsuit expanded on an earlier suit, filed in August 2018 by the Office of the New York Attorney General, against Purdue Pharma for a decades-long and continuing pattern of deceptive, illegal conduct in the marketing of the opioid OxyContin.

Joining Attorney General James in leading the executive committee that reached today's agreement are the attorneys general of California, Colorado, Connecticut, Massachusetts, North Carolina, Oklahoma, Oregon, Tennessee, and Vermont. Attorney General James and the other executive committee members are joined by the attorneys general of Alabama, Alaska, Arizona, Arkansas, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Wisconsin, Wyoming, the District of Columbia, and the territories of American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

This matter was handled for New York by Counsel for Opioids and Impact Litigation David Nachman, Senior Advisor and Special Counsel Umair Khan, and Assistant

Attorneys General Noah Popp and Jennifer Simcovitch — all under the supervision of First Deputy Attorney General Jennifer Levy.