Drugmaker to Pay West Virginia $99M in Opioid Settlement

West Virginia's lawsuit against Janssen and others arrives amid a rise in HIV, hepatitis and overdose rates linked to the opioid crisis.

April 28, 2022 By Trent Straube

Janssen Pharmaceuticals, which is controlled by Johnson & Johnson, agreed to pay West Virginia $99 million in a lawsuit over the drugmaker's role in the opioid epidemic, reports The Associated Press.

The settlement is part of West Virginia's case against Janssen, Teva Pharmaceuticals, AbbVie's Allergan and their family of companies. In the lawsuit, the state alleges that the drugmakers minimized the dangers of addiction when prescribing opioids. The settlement arrives amid a rise in HIV, hepatitis and overdose rates linked to the opioid crisis.

Janssen noted that the settlement does not represent an admission of guilt or wrongdoing and that it no longer sells prescription opioids in the United States. Janssen has been removed from the lawsuit, but the case against the other companies is ongoing.

The settlement may be one of the largest in the nation per capita, said State Attorney General Patrick Morrisey. "We think it represents a major step forward to start to get money in the door to help West Virginians who have been devastated by the opioid epidemic," he said, according to the AP.

Janssen is expected to begin payments to the state within the next 45 days. It's not the first opioid settlement the company has reached. Earlier this year, Janssen and three drug distributors arrived at a nearly $590 million opioid settlement with Native American tribes, reports CNN. For its part, Janssen agreed to pay $150 million in that settlement.

News of the $99 million settlement arrived shortly after West Virginia Senators Joe Manchin and Shelley Moore Capito announced that $1.28 million in federal funding would be used to battle the state's growing HIV epidemic, which is fueled by injection drug use amid the opioid crisis, reports West Virginia News.

HIV, hepatitis B and hepatitis C can be spread through shared syringes, and several HIV clusters have been reported in the state in recent years, notably in Cabell and Kanawha counties. However,

as Mountain State Spotlight noted this month, HIV has been detected in other rural counties in the past year. In fact, new diagnoses were reported in 29 West Virginia counties in 2021—in eight of those counties, the diagnoses were the first in several years.

"This is no longer Kanawha and Cabell's problem; we're starting to see cases in multiple counties," Robin Pollini, PhD, MPH, a substance abuse and infectious disease epidemiologist at West Virginia University, told the paper. "When I look at these numbers, what I'm seeing is a statewide problem."

For related articles see "Nation's First Drug Control Strategy Calls for Expanded Harm Reduction," "CDC Offers This Advice for Tackling West Virginia's HIV Outbreak" and "Drug Overdose Deaths Surpass 100,000 in a Single Year."

HIV is a virus that attacks the immune system. Over several years, the immune system becomes depleted, and the body isn't able to fight infections, leading to an AIDS diagnosis. Although there is no cure for HIV, many safe and effective treatments—often just one pill a day—are available. The medications help people living with HIV enjoy long and healthy lives and keep them from transmitting the virus to others.

HIV is transmitted through the following body fluids: blood, semen, precum, rectal fluids, vaginal fluids and breast milk. There are several ways it can be transmitted:

- From condomless vaginal/frontal or anal sex with someone who has HIV while not using a condom or not using medicines to prevent (PrEP and PEP) or treat HIV (Undetectable Equals Untransmittable or U=U).

- From sharing needles, syringes or other injection equipment with someone who has HIV while not using PrEP.

- From mother to child during pregnancy, childbirth or breastfeeding. However, if the mother is in regular care and on HIV treatment, this risk is reduced to nearly zero.

- From being stuck with a needle or cut with a sharp object that contains HIV-positive blood. This is mostly a risk for health care workers.

- From getting a blood transfusion. However, this risk is rare in the United States.

HIV is not transmitted though saliva, urine, feces, vomit, sweat, animals, bugs or the air. For more, see the Basics of HIV/AIDS in POZ.com, a sister publication of HepMag.com, RealHealthMag.com and TuSaludMag.com.

Hepatitis, in contrast, refers to inflammation of the liver. When untreated, it can lead to scarring of the liver (cirrhosis), liver cancer, the need for a liver transplant and death. Hepatitis can be caused by several factors, including toxins, excess alcohol use, autoimmune diseases, fat in the liver and viruses, including the three most common ones: hepatitis A, B and C. According to "Hepatitis C Transmission and Risk," part of Hep's Basics of Hepatitis, hep C is most easily spread through:

- Sharing needles and other equipment (paraphernalia) used to inject drugs
- Blood transfusions and organ transplants before July 1992
- Sexual contact with someone who has hep C
- Having a mother who had hep C when you were born.

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