

**SANTA FE COUNTY**  
**RESOLUTION NO. 2017 - \_\_\_\_\_**

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**A RESOLUTION TO UNDERTAKE LEGAL ACTION  
REGARDING THE OPIATE EPIDEMIC**

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**WHEREAS**, the Board of County Commissioners (the Board) of Santa Fe County (the County) recognizes that addiction to opiates is a health crisis impacting Santa Fe County and the nation; and

**WHEREAS**, in 2016, President Barack Obama proclaimed September 18-24, 2016, as Prescription Opioid and Heroin Epidemic Awareness Week in recognition of the opium addiction epidemic plaguing America; and

**WHEREAS**, on October 26, 2017, President Donald Trump declared the opioid epidemic a public health emergency; and

**WHEREAS**, from 1999 to 2015, more than 183,000 people have died in the U.S. from overdoses related to prescription opioids; and

**WHEREAS**, drug overdose is now the leading cause of death in the U.S. for people under 50; and

**WHEREAS**, according to the New Mexico Department of Health, between 2012 and 2015 there were 1,968 drug overdose deaths in New Mexico; and

**WHEREAS**, in New Mexico in 2015 there was 268 car crash fatalities compared to 516 drug over dose related death; and

**WHEREAS**, the New Mexico Department of Health (NMDOH) reported that opioid overdose related emergency department visits have increased 98.4% in the United States between 2004 and 2009, and in New Mexico they increased by 46.3% between 2010 and 2014; and

**WHEREAS**, the NMDOH reported that at the end of the second quarter of 2017, 169,279 patients in New Mexico were prescribed opioids, 44,078 were given high dose opioid prescriptions, 355,606 opioid prescriptions were filled in New Mexico, and the number of medical providers treating ten or more patients with buprenorphine/naloxone increased to 124; and

**WHEREAS**, according to the NMDOH, between 2012 and 2015 there were 178 drug overdose deaths in Santa Fe County; and

**WHEREAS**, according to the NMDOH, Santa Fe County has the 10<sup>th</sup> highest death rate of drug overdose in New Mexico; and

**WHEREAS**, in 2016 there was 23 car crash related fatalities compared to 68 drug overdose deaths in Santa Fe County; and

**WHEREAS**, drug overdose deaths for women in Santa Fe County were 19.1/100,000 in 2012 and rose to 32.9/100,000 in 2016; and

**WHEREAS**, according to the non-profit Santa Fe Prevention Alliance, Santa Fe County's highest death rate is among people 25 to 44 years of age, in part due to opioid overdoses; and

**WHEREAS**, due to the opioid epidemic, the Santa Fe County Community Services Department has invested heavily in reducing the number of drug overdoses by funding treatment, prevention and harm reduction activities; and

**WHEREAS**, the Santa Fe County Adult and Juvenile Detention Facilities have incurred various costs related to medical care, transportation, incarceration, and the costs of connecting inmates with services upon release; and

**WHEREAS**, law enforcement and first responders, including fire, EMS, and ambulance services have incurred substantial costs related to drug overdoses in the community; and

**WHEREAS**, the New Mexico Attorney General, Mora County and other state and local governments throughout the Country have filed lawsuits against opiate manufacturers and distributors in an effort to hold them accountable for their role in the opioid epidemic and to recuperate the unique damages associated with the epidemic suffered by each state and local government; and

**WHEREAS**, Bernalillo County is undertaking an RFP for legal services in order to procure legal representation in a lawsuit against drug manufacturers and distributors of opioids; and

**WHEREAS**, Rio Arriba County discussed litigation against opioid manufacturers and distributors during a closed session meeting on September 13, 2017 and intends to file suit against drug manufacturers and distributors of opioids; and

**WHEREAS**, the Board believes that Santa Fe County may, through litigation against the opioid manufacturers and distributors, recover damages associated with the tax dollars spent to address the impact of the opiate epidemic in the community, and wishes to pursue litigation in the most efficient way possible, including potentially partnering with other local governments in litigation; and

**WHEREAS**, in order to develop a litigation strategy and pursue meritorious claims against opiate manufacturers and distributors, Santa Fe County must comply with the New Mexico Procurement Code, NMSA 1978, Sections 13-1-1 et seq., which does not exempt legal services from the procurement process and will benefit from such a procurement by identifying and selecting a qualified law firm.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. An RFP shall be issued seeking proposals to advise and represent Santa Fe County in litigation against opiate manufacturers, distributors and other relevant parties contributing to the opiate epidemic in Santa Fe County;
2. That legal action be taken by Santa Fe County to address the wrongful acts of appropriate defendants involved in the manufacture and distribution of opiates;
3. That any legal action be taken in collaboration with other governmental entities to the extent determined to be in the best interest of Santa Fe County.

**PASSED, APPROVED, AND ADOPTED THIS 14<sup>th</sup> DAY OF NOVEMBER, 2017.**

**BOARD OF COUNTY COMMISSIONERS**

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Henry P. Roybal, Chair

**ATTEST:**





