



FOR IMMEDIATE RELEASE

June 24, 2024

CONTACT: Jeff LeMaster

(501) 683-1532

jeff.lemaster@arkansasag.gov

Attorney General Griffin Sues Pharmacy Benefit Managers for Roles in Arkansas Opioid Epidemic

Griffin: 'Pill by pill and dollar by dollar, PBMs enabled the opioid epidemic in Arkansas'

LITTLE ROCK – Attorney General Tim Griffin today announced he has filed a lawsuit against pharmacy benefit managers (PBMs) Optum, Inc., and Express Scripts, Inc., and their subsidiaries for their roles as a cause of the opioid epidemic in Arkansas and issued the following statement:

“Pill by pill and dollar by dollar, PBMs enabled the opioid epidemic in Arkansas. Today, we begin the process of holding them accountable for their roles in a crisis that has ravaged our state—a crisis they helped cause, contributed to, and furthered.

“The PBMs benefited financially from the opioid crisis in Arkansas by negotiating favorable deals with opioid manufacturers while at the same time forgetting the interests of Arkansans who received prescriptions. Instead of protecting consumers by leveraging data to curb excessive prescriptions, PBMs focused on the financial incentives of manufacturer rebates to drive profits at the expense of people.”

Between 2006 and 2014, Arkansas was flooded with almost 1.5 billion units of addictive opioids. By 2016, Arkansas had the second-highest opioid prescription rate in the nation, with 114.6

opioids being dispersed for every 100 Arkansans—nearly twice the national average and enough to supply every man, woman, and child in Arkansas 78 opioid doses each.

The suit, filed in Pulaski County Circuit Court, alleges that the PBM defendants:

- Fueled the opioid epidemic in Arkansas by increasing opioid utilization by placing opioids on lower tiers of their formularies, controlling what less addictive pain treatments were available to patients, and falsely representing that their formularies were designed to be cost effective and achieve favorable health outcomes but instead were designed to maximize profits;
- Operated online retail pharmacies that dispensed billions of morphine milligram equivalents of opioids while failing to follow state and federal laws on controlled substances; and,
- Were aware of the opioid epidemic in Arkansas and failed to take any action.

Griffin is asking that PBMs be held accountable for creating a public nuisance through their actions, being negligent in their actions, and unjustly enriching themselves.

To read a copy of the lawsuit, [click here](#).

About Attorney General Tim Griffin

Tim Griffin was sworn in as the 57th Attorney General of Arkansas on January 10, 2023, having previously served as the state's 20th Lieutenant Governor from 2015-2023. From 2011-2015, Griffin served as the 24th representative of Arkansas's Second Congressional District, where he served on the House Committee on Ways and Means, House Armed Services Committee, House Committee on Foreign Affairs, House Committee on Ethics and House Committee on the Judiciary while also serving as a Deputy Whip for the Majority.

Griffin has served as an officer in the U.S. Army Reserve Judge Advocate General's (JAG) Corps for more than 28 years and currently holds the rank of colonel. In 2005, Griffin was mobilized to active duty as an Army prosecutor at Fort Campbell, Kentucky, and served with the 101st Airborne Division (Air Assault) in Mosul, Iraq.

He is currently serving as the Commander of the 2d Legal Operations Detachment in New Orleans, Louisiana. His previous assignments include serving as the Commander of the 134th Legal Operations Detachment at Fort Liberty (née Bragg), North Carolina, and as a Senior Legislative Advisor to the Under Secretary of Defense for Personnel and Readiness at the

Pentagon. Griffin earned a master's degree in strategic studies as a Distinguished Honor Graduate from the U.S. Army War College, Carlisle Barracks, Pennsylvania.

Griffin also served as U.S. Attorney for the Eastern District of Arkansas, and Special Assistant to the President and Deputy Director of Political Affairs for President George W. Bush; Special Assistant to Assistant Attorney General Michael Chertoff, Criminal Division, U.S. Department of Justice; Special Assistant U.S. Attorney, U.S. Attorney's Office, Eastern District of Arkansas; Senior Investigative Counsel, Government Reform and Oversight Committee, U.S. House of Representatives; and Associate Independent Counsel, Office of Independent Counsel David M. Barrett, In re: HUD Secretary Henry Cisneros.

Griffin is a graduate of Magnolia High School, Hendrix College in Conway, and Tulane Law School in New Orleans. He attended graduate school at Oxford University. He is admitted to practice law in Arkansas (active) and Louisiana (inactive). Griffin lives in Little Rock with his wife, Elizabeth, a Camden native, and their three children.

###