

# First opioid lawsuit targeting pharmacy benefit managers

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(HealthDay)—A first opioid lawsuit is targeting pharmacy benefit

managers (PBMs), according to a report published in *Managed Healthcare Executive*.

Noting that until now, PBMs have not been sued for the [opioid](#) crisis, in February, a south Texas county included the three largest PBMs in a nationwide lawsuit, which focused on the [opioid epidemic](#). Their inclusion was due to their role in allowing access to [prescription opioids](#).

PBMs are not expected to question physician's therapeutic choice and do not have the same professional obligations as pharmacists do. However, they do have a lot of power, acting as the middlemen between doctor, patient, and pharmacy. They also have the most to gain from the cost of a prescription. PBMs are likely to be increasingly targeted in litigation. Health plans are contracting with PBMs for the benefit of patients, and as such, the PBMs have a responsibility to protect [patients](#) from harm. Allegations are likely to be that PBMs allowed a greater amount of opioids to be permitted in communities than could be supported based on the legitimate medical needs of the community.

"While it takes some creativity to do something new (like looking at PBMs) as a responsible party, my hunch is that other lawyers are likely to learn from this and will be interested in a potential additional source of settlement funds," Harry Nelson, from Nelson Hardiman, LLP, a health care law firm, said in the article.

**More information:** [Abstract/Full Text](#)

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