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PRESS RELEASE

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Attorney General Brown Announces \$7.2 Million in Revenue to Maryland Opioid Restitution Fund from Settlement with Publicis, an Opioids Marketing Firm

BALTIMORE, MD (February 1, 2024) – Maryland Attorney General Anthony G. Brown announced today that he and other state Attorneys General, working together with tribal governments, have reached a \$350 million fifty-state settlement agreement with Publicis Health, LLC (“Publicis”), a division of the Paris-based global marketing conglomerate Publicis Groupe, S.A. Maryland will receive \$7.2 million from the [settlement](#) for Maryland to use in its ongoing fight against the opioid crisis. The settlement also requires Publicis to publicly disclose certain communications with drug companies related to opioids and to stop advising drug companies about how to sell DEA Schedule II and III opioids.

One of the largest healthcare marketing firms in the world, Publicis has described itself on its website as providing clients with “the power of [its] creativity” and offering “innovative solutions [that] optimize every opportunity for better outcomes” in healthcare marketing and communications. According to a [complaint](#) filed earlier today by Maryland Attorney General’s Consumer Protection Division in the Circuit Court for Frederick County, Purdue Pharma, L.P. (“Purdue”), a leading opioids manufacturer, hired Publicis to help design marketing campaigns and increase Purdue’s sales of OxyContin and other prescription opioids. These efforts included marketing designed to get doctors to prescribe more opioids to patients who either should not have been taking opioids at all or should not have been taking them in doses as high or for as long as they were. The complaint alleges that, during the 2010s, Publicis, knowing full well the consequences of overprescribing opioids, which were by then plaguing the nation, helped Purdue design and carry out a variety of unfair or deceptive marketing schemes that overstated the benefits and minimized the risks of Purdue’s opioids in order to increase Purdue’s sales.

“Publicis’ designs and marketing helped spread misinformation that fueled the opioid crisis, leaving addiction and death in its wake,” **said Attorney General Brown**. “The epidemic destroyed lives and tore families apart. I will always stand up against companies that prioritize profits over the health, safety, and wellbeing of Marylanders to ensure innocent people cannot be taken advantage of by big pharma.”

Among other charges, the complaint discloses that from 2012 to 2019, Publicis encouraged and participated in Purdue’s payment of millions of dollars in kickbacks to an electronic medical records (“EMR”) company, Practice Fusion. In return for kickbacks, Practice Fusion would provide clinical decision support alerts in its EMR platforms that encouraged healthcare providers to prescribe long-acting opioids, including Purdue’s OxyContin, to specific patients. The scheme delivered millions of these alerts

to prescribers to whom the alerts seemed to be objective medical advice based on specific patient data. In 2020, Purdue and Practice Fusion pleaded guilty to criminal charges arising from the kickback scheme.

The complaint also charges that Publicis designed Purdue marketing campaigns that encouraged prescribers to write opioids in higher doses and for longer periods of time, and that it observed and provided guidance to Purdue about Purdue's in-person calls on prescribers.

The opioid crisis has killed more than 26,666 Marylanders and continues to kill, on average, nearly 7 more Marylanders per day. It has brought devastation to Maryland communities. The \$350 million settlement is part of the Office of the Attorney General's ongoing efforts to stop the illegal conduct that created and has sustained the opioid crisis, and to obtain funds to help reduce the harms caused by the crisis.

Maryland will receive \$7.2 million from the national settlement, which will be placed in the Maryland Opioid Restitution Fund, a special fund created by the General Assembly in 2019 to supplement the State's fight against the opioid crisis with revenue received from settlements and judgments in the Office of the Attorney General's opioids enforcement cases.

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