

File No. 230195

Committee Item No. 14

Board Item No. \_\_\_\_\_

# COMMITTEE/BOARD OF SUPERVISORS

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Committee: Government Audit and Oversight

Date: March 16, 2023

Board of Supervisors Meeting:

Date: \_\_\_\_\_

### Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU - FY2022-2024 - Clean
- MOU - FY2022-2024 - Redline
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract / DRAFT Mills Act Agreement
- Form 126 – Ethics Commission
- Award Letter
- Application
- Public Correspondence

### OTHER

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Prepared by: Stephanie Cabrera

Date: March 9, 2023

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Settlement of Unlitigated Claims against CVS Health Corporation and CVS Pharmacy, Inc. -  
2 City to Receive Approximately \$4,500,000 to \$12,000,000 Over 10 Years]

3 **Resolution authorizing settlement of unlitigated claims on behalf of the City and**  
4 **County of San Francisco and the People of the State of California against CVS Health**  
5 **Corporation and CVS Pharmacy, Inc. for abatement funds in the range of \$4,500,000 to**  
6 **\$12,000,000 to be paid over 10 years; the claims relate to CVS’s allegedly improper and**  
7 **unlawful dispensing of prescription opioids at its pharmacies, which contributed to the**  
8 **epidemic of opioid abuse and misuse and caused a public nuisance.**

9  
10 WHEREAS, CVS Health Corporation, CVS Pharmacy, Inc. and several States have  
11 agreed to a national settlement agreement that resolves numerous governments’ claims  
12 against those entities for CVS’s allegedly improper and unlawful dispensing of prescription  
13 opioids at its pharmacies, which contributed to the epidemic of opioid abuse and misuse and  
14 caused a public nuisance; and

15 WHEREAS, San Francisco has not filed a lawsuit against CVS Health Corporation or  
16 CVS Pharmacy, Inc., but may participate in the CVS national settlement agreement by  
17 releasing potential claims against CVS relating to its dispensing of prescription opioids in  
18 exchange for payments totaling approximately \$4,500,000 to \$12,000,000; and

19 WHEREAS, The City Attorney has recommended settlement by releasing potential  
20 claims against CVS relating to its dispensing of prescription opioids in exchange for the  
21 payment of abatement funds from CVS Health Corporation and CVS Pharmacy, Inc. to San  
22 Francisco, in an amount estimated to be between \$4,500,000 to \$12,000,000 over the next 10  
23 years; now, therefore, be it

24 RESOLVED, That Pursuant to Charter, Section 6.102(5) and Administrative Code,  
25 Section 10.24(b), the Board of Supervisors hereby authorizes the City Attorney to settle

1 potential claims against CVS relating to its dispensing of prescription opioids in exchange for  
2 the payment of abatement funds from CVS Health Corporation and CVS Pharmacy, Inc. to  
3 San Francisco, in an amount estimated to be between \$4,500,000 to \$12,000,000 over the  
4 next 10 years.

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APPROVED:

DAVID CHIU  
City Attorney

/s/  
SARA J. EISENBERG  
Chief of Complex and Affirmative Litigation

RECOMMENDED:

City Attorney's Office

/s/  
DAVID CHIU  
City Attorney

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