

## Barry Buchman in Bloomberg Law: Insurers Seek to Avoid Being Drawn Into Opioid Litigation

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**PRACTICES** Insurance Recovery, Litigation

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Haynes Boone Partner [Barry Buchman](#) talked with *Bloomberg Law* about the increasing number of insurance coverage disputes related to litigation arising from the nation's opioid crisis.

Here is an excerpt:

So far, there have only been a few decisions in the area of insurance coverage for opioid-related claims, and the cases have gone both ways.

"It's not over by a long shot," Barry Buchman, an attorney with Haynes Boone in Washington, told *Bloomberg Law*. Buchman represents businesses in insurance coverage disputes. "There will be more decisions," he said.

In the meantime, Buchman said, policy holders should make sure they don't overlook older policies that might provide broader coverage because they have less-restrictive exclusionary language and/or contain lower deductibles. "Don't just look at recent policies," he said.

Multiple lawsuits against drugmakers, distributors, and others filed in federal courts have been consolidated in massive multidistrict litigation in the U.S. District Court for the Northern District of Ohio. There are now about 1,500 cases in the MDL [multidistrict litigation], more than 1,200 of which were filed by various government entities. And that doesn't take into account similar suits filed in state courts across the country.

The availability of insurance coverage may ultimately affect the settlement calculations of the drug companies, distributors, and retailers involved in the opioid-related cases, Buchman said.

"The amount of coverage will affect when and whether and for how much these kinds of cases settle," he said. "You can't completely separate the settlement analysis from the coverage."

To read the full article, click [here](#). (Subscription required)