

The Cincinnati Insurance Company v. Discount Drug Mart, Inc.

Year: 2022

Court: Supreme Court of Ohio

Case Number: 2022-0318

In its amicus curiae brief, United Policyholders addresses important issues relating to insurance coverage for opioid epidemic related losses.

Substantively, United Policyholders's brief demonstrates that under well-settled principles of insurance law, lawsuits brought by government entities seeking to recover for the costs of providing medical care, treatment, and other government services to residents who have become addicted to opioids qualify as suits seeking "bodily injury" damages and therefore trigger coverage under standard form CGL policies.

Procedurally, United Policyholders argues that the Ohio Supreme Court should decline jurisdiction over Cincinnati Insurance Company's discretionary appeal given that the core issue was fully briefed and argued in a pending appeal, Masters Pharmaceutical.

Additionally, United Policyholders's brief rebuts self-serving insurance industry talking points that holding insurance companies responsible for their coverage obligations relating to the opioid epidemic will threaten market solvency.

Justin Werner of Reed Smith.